

Mitigation Monitoring Program					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.1	Aesthetics				
	No Mitigation required.				
4.2	Agriculture and Forest Resources				
#1	<p>MM 4.2-1: Prior to construction of any approved site plan, if the site has already been subject to mitigation to compensate for the loss of agricultural land, evidence of compliance shall be submitted to the City of Fresno. Once verified, no further action is necessary.</p> <p>For all other properties, the project applicant shall provide written evidence of completion of one or more of the following measures to mitigate the loss of Prime Farmland, Farmland of Statewide Importance, and/or Unique Farmland, at a ratio of 1:1 for net acreage before conservation, based on the most current mapping data from the Department of Conservation. New acreage is to be calculated by excluding existing roads and areas already developed with structures. A plot plan shall be submitted substantiating the net acreage calculation along with written evidence of compliance.</p> <ol style="list-style-type: none"> 1. Funding and purchase of agricultural conservation easements (will be managed and maintained by an appropriate entity); 2. Purchase of credits from an established agricultural farmland mitigation bank; 3. Participation in any agricultural land mitigation program adopted by the City of Fresno that provides equal or more effective mitigation than the measures listed above. <p>Mitigation lands shall meet the definition of Prime Farmland, Farmland of Statewide Importance, and/or Unique Farmland, and be of similar agricultural quality or higher, as informed by definitions established by the California Department of Conservation Completion</p>	Prior to construction of any approved site plan	Planning and Development Department		
<p>Steps to Compliance:</p> <ol style="list-style-type: none"> A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The project proponent shall provide a written evidence report of completion and compliance of mitigation. C. The Planning and Development Department shall review the plot plan and evidence report to verify mitigation meets farmland/agricultural standards as established by the State Department of Conservation. 					

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	<p>of the selected measure or, with the City of Fresno Planning and Development Department approval, a combination of measures can occur on qualifying land within the San Joaquin Valley (San Joaquin, Stanislaus, Merced, Fresno, Madera, Kings, Tulare, or Kern County) or outside the San Joaquin Valley with written evidence that the same or equivalent crops can be produced on the mitigation land.</p> <p>Any application for a conditional use permit shall include the above evidence and mitigation details and shall provide a plot plan substantiating the net acreage calculation along with written evidence of compliance.</p>				
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the final EIR to the extent feasible.					
4.3	Air Quality				
#2	<p>MM 4.3-1: Prior to issuance of a grading or building permit or conditional use permit, individual project applicants shall submit written documentation of project compliance with applicable State and federal air pollution control laws and regulations. The project applicant shall also comply with applicable rules and regulations of the San Joaquin Valley Air Pollution Control District during construction and during operations of cannabis facilities.</p> <p>Any cannabis project under the jurisdiction of the City's program that has impacts to air quality that are determined to be <i>significant and unavoidable</i> will either mitigate such emissions to <i>less than significant</i> or enter into a VERA with the San Joaquin Valley APCD to mitigate such project to a level that is determined to be <i>less than significant</i>.</p>	<p>Prior to issuance of a grading or building permit or conditional use permit</p>	<p>Planning and Development Department San Joaquin Valley Air Pollution Control District</p>		
Steps to Compliance: <ul style="list-style-type: none"> A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The project proponent shall submit evidence of implementation of compliance with applicable State and federal air pollution control laws and regulations. C. The project proponent shall submit evidence of implementation of compliance with applicable rules and regulations of the San Joaquin Valley Air Pollution Control District during construction and operation. 					

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#3	<p>MM 4.3-2: Prior to any ground disturbing activities, the Project applicant shall submit a Fugitive Dust Control Plan to the San Joaquin Valley Air Pollution Control District for review and approval, per the District's Regulation VIII to reduce construction-related emissions of particulate matter that is 10 microns or less and 2.5 microns or less in diameter (PM₁₀ and PM_{2.5}). The requirements of Regulation VIII include:</p> <ol style="list-style-type: none"> 1. Visible Dust Emissions (VDE) may not exceed 20 percent opacity during periods when soil is being disturbed by equipment or by wind at any time. Visible Dust Emissions opacity of 20 percent means dust that would obstruct an observer's view of an object by 20 percent. District inspectors are State certified to evaluate visible emissions. Dust control may be achieved by applying water before/during earthwork and onto unpaved traffic areas, phasing work to limit dust, and setting up wind fences to limit wind-blown dust. 2. Soil Stabilization is required at regulated construction sites after normal working hours and on weekends and holidays. This requirement also applies to inactive construction areas such as phased projects where disturbed land is left unattended. Applying water to form a visible crust on the soil and restricting vehicle access are often effective for short-term stabilization of disturbed surface areas. Long-term methods including applying dust suppressants and establishing vegetative cover. 3. Carryout and Trackout occur when materials from emptied or loaded vehicles fall onto a paved surface or shoulder of a public road or when materials adhere to vehicle tires and are deposited onto a paved surface or shoulder of a public road. Should either occur, the material must be cleaned up at least 	Prior to ground disturbing activities.	Planning and Development Department San Joaquin Valley Air Pollution Control District		
<p>Steps to Compliance:</p> <ol style="list-style-type: none"> A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The project proponent shall submit evidence of implementation of compliance with practices as outlined in mitigation. 					

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	<p>daily, and immediately if it extends more than 50 feet from the exit point onto a paved road. The appropriate clean-up methods require the complete removal and cleanup of mud and dirt from the paved surface and shoulder. Using a blower device or dry sweeping with any mechanical device other than a PM₁₀-efficient street sweeper is a violation. Larger construction sites, or sites with a high amount of traffic on one or more days, must prevent carryout and trackout from occurring by installing gravel pads, grizzlies, wheel washers, paved interior roads, or a combination thereof at each exit point from the site. In many cases, cleaning up trackout with water is also prohibited as it may lead to plugged storm drains. Prevention is the best method.</p> <p>4. Unpaved Access and Haul Roads, as well as unpaved vehicle and equipment traffic areas at construction sites must have dust control. Speed limit signs limiting vehicle speed to 15 mph or less at construction sites must be posted every 500 feet on uncontrolled and unpaved roads.</p>				
#4	MM 4.3-3: The project applicant of any conditional use permit, for a cannabis related business (retail only), shall submit written documentation stating that all mobile deliveries will be provided via hybrid or electric vehicles.	Concurrent with submittal of a conditional use permit	Planning and Development Department		
		Steps to Compliance: <ul style="list-style-type: none"> A. This mitigation measure shall be incorporated as a condition of approval for a conditional use permit. B. The project proponent shall submit a written documentation stating mobile deliveries will be provided via hybrid or electric vehicles. C. The Planning and Development Department shall review written statement. 			

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#5	MM: 4.3-4: The project applicant of any conditional use permit, for a cannabis related business, shall include a site plan indicating the number of electric vehicles charging stations included in the parking area. The number of electric vehicle parking stations shall be at a ratio of no less than 1 charging station per 20 required parking spaces.	Concurrent with submittal of a conditional use permit	Planning and Development Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for a conditional use permit. B. The project proponent shall include a site plan indicating the number of electric vehicles charging stations included in the parking area. C. The Planning and Development Department shall review the plot plan for the appropriate number of charging stations.			
#6	MM 4.3-5: As part of the Conditional Use Permit Application, all commercial cannabis related businesses shall submit an Odor Management and Control Plan (OMCP), to be approved by the Fresno Planning and Development Department. The OMCP shall demonstrate compliance with the Article 33 of Chapter 9 of the Fresno Municipal Code (Section 9-3309 j) by providing details related to the type and use of best available odor control technology and devices. The OMCP shall also include exhaust air filtration systems with odor control that prevents internal odors and pollen from being emitted externally, and an air system that creates negative air pressure between the premises’ interior and exterior.	Concurrent with submittal of a conditional use permit	Planning and Development Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for a conditional use permit. B. The project proponent shall submit an Odor Management and Control Plan compliant with conditions in the mitigation measure.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the final EIR to the extent feasible.					
4.4	Biological Resources				
#7	MM 4.4-1: Prior to commencement of operations of any cultivation facility, the Project applicant shall submit to the City of Fresno Planning and Development Department written documentation of a	Prior to commencement of operations	Planning and Development Department California State Water Control Board		

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	waiver from the California State Water Control Board Cannabis Cultivation General Order.	Steps to Compliance: A. The project proponent shall provide the Planning and Development Department written documentation of the waiver as outlined in mitigation.			
#8	<p>MM 4.4-2: For any undeveloped parcel, within 14 days and no more than 30 days prior to the start of construction activities in any specific area, a pre-construction clearance survey shall be conducted by a qualified biologist knowledgeable in the identification of these species. The surveys shall cover the Project site plus a 500-foot buffer, where feasible. Pedestrian surveys achieving 100 percent visual coverage shall be conducted. Multiple surveys may be needed, which would be phased with construction of the Project. If no evidence of these species is detected, no further action is required. A copy of a Preconstruction Clearance Survey Report shall be submitted to the City of Fresno Planning and Development Department.</p> <p>Buffer zones shall be considered Environmentally Sensitive Areas (ESAs) and no ground disturbing activities shall be allowed within a buffer area. The United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) shall be contacted upon the discovery within 500 feet of any SJKF individuals, natal or pupping dens is found during construction activities. CDFW staff shall be contacted at (559) 243-4014 and R4CESA@wildlifeca.gov.</p> <p>Potential kit fox dens may be excavated provided that the following conditions are satisfied: (1) the den has been monitored for at least five consecutive days and is deemed unoccupied by a qualified biologist; (2) the excavation is conducted by or under the direct supervision of a qualified biologist. Den monitoring and excavation should be conducted in accordance with the Standardized</p>	Within 14 days and no more than 30 days prior to the start of construction activities in any specific area	Planning and Development Department Qualified Biologist		
		Steps to Compliance: A. Applicant shall have a pre-construction biological survey conducted by a qualified biologist. B. Submit a copy of Preconstruction Clearance Survey Report to the City of Fresno Planning and Development Department. C. The United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) shall be contacted upon the discovery within 500 feet of any SJKF individuals, natal or pupping dens is found during construction activities. CDFW staff shall be contacted at (559) 243-4014 and R4CESA@wildlifeca.gov . D. If a den or burrow is located on the Project and there is no clear indication of use, and it has not been previously identified as being used by special-status species, the den/burrow may be monitored by a qualified biologist for a minimum of five consecutive nights using trail cameras and tracking medium. E. If necessary, implement site-specific recommendations under the guidance of a qualified biologist.			

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	<p>Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (U.S. Fish and Wildlife, 2011).</p> <p>San Joaquin Kit Fox</p> <ul style="list-style-type: none"> • Potential Den – 50 feet • Atypical Den – 50 feet (includes pipes and other man-made structures) • Known Den – 100 Feet • Natal/Pupping Den – 500 feet <p>Badger</p> <ul style="list-style-type: none"> • Potential Den – None • Natal/Pupping Den – 100 feet <p>Burrowing Owl (active burrows)</p> <ul style="list-style-type: none"> • April 1 – October 15 – 500 feet • October 16 – March 31 – 100 feet <p>If a den or burrow is located on the Project and there is no clear indication of use, and it has not been previously identified as being used by special-status species, the den/burrow may be monitored by a qualified biologist for a minimum of five consecutive nights using trail cameras and tracking medium. If after five nights there is no evidence of use by special-status species, the den/burrow may be fully excavated to the terminus of every tunnel and then backfilled, all under the direct supervision of a qualified biologist. If during the five nights of monitoring there is evidence of use by a special-status species, the den/burrow must be avoided unless removal is authorized by the USFWS and/or CDFW (based on species protection status).</p>				

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#9	<p>MM 4.4-3: For any undeveloped parcel, the following avoidance and minimization measures shall be implemented during all construction phases of the Project to reduce the potential for impact from the Project. They are modified from the <i>U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance</i> (U.S. Fish and Wildlife, 2011) and apply to all three species.</p> <ol style="list-style-type: none"> 1. Project-related vehicles shall observe a daytime speed limit of 20-mph throughout the site in all Project areas, except on County roads and State and federal highways. Construction speed limits shall be limited to 10-mph for any work performed between dusk and 10:00 p.m. 2. Off-road traffic outside of designated Project areas shall be prohibited. 3. To prevent inadvertent entrapment of kit foxes or other animals during construction of the Project, all excavated, steep-walled holes or trenches more than two feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. 4. Before holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox or other special-status species is discovered, the USFWS and the CDFW, as appropriate, shall be contacted before proceeding with the work. 5. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the USFWS/CDFW shall be contacted for guidance. 	During all construction phases	Planning and Development Department Qualified Biologist USFWS and CDFW (if necessary)		
		<p>Steps to Compliance:</p> <p>A. The project proponent shall submit evidence of implementation of compliance with practices as outlined in mitigation.</p>			

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	<p>6. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes and burrowing owls before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox or burrowing owl is discovered inside a pipe, that section of pipe shall not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox or owl has escaped.</p> <p>7. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from a construction or Project site.</p> <p>8. No pets, such as dogs or cats, shall be permitted on the Project site.</p> <p>9. Use of anti-coagulant rodenticides and herbicides in Project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.</p> <p>10. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox, burrowing owl</p>				

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	<p>or badger or who finds a dead, injured or entrapped kit fox, burrowing owl or badger.</p> <p>11. Any Project personnel who are responsible for inadvertently killing or injuring one of these species shall immediately report the incident to their representative. This representative shall contact the CDFW/USFWS immediately in the case of a dead, injured or entrapped kit fox.</p> <p>12. The Sacramento U.S. Fish and Wildlife Office and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and R4CESA@wildlifeca.gov.</p> <p>13. New sightings of all special-status species shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the individual was observed shall also be provided to the USFWS.</p> <p>14. Any Project-related information required by the USFWS or questions concerning the above conditions, or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone (916) 414-6620 or (916) 414-6600.</p>				

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#10	<p>MM 4.4-4: For any undeveloped parcel, if construction activities must occur during the nesting season (February 15 to August 31), pre-activity nesting bird surveys shall be conducted within seven days prior to the start of construction at the construction site plus a 250-foot buffer for songbirds and a 500-foot buffer for raptors (other than Swainson's hawk).</p> <p>The surveys shall be phased with construction of the Project and shall include all vegetation and existing structures. If no active nests are found, no further action is required; however, note that nests may become active at any time throughout the summer, including when construction activities are occurring. If active nests are found during the survey or at any time during construction of the Project, an avoidance buffer ranging from 50 feet to 350 feet may be required, as determined by a qualified biologist. The avoidance buffer will remain in place until the biologist has determined that the young are no longer reliant on the nest. Work may occur within the avoidance buffer under the approval and guidance of the biologist. The biologist shall have the ability to stop construction if nesting adults show sign of distress.</p>	During Construction activities, if during nesting season	Planning and Development Department Qualified Biologist		
		<p>Steps to Compliance:</p> <p>A. A qualified biologist must conduct a pre-activity nesting bird within seven days prior to the start of construction at the construction site plus a 250-foot buffer for songbirds and a 500-foot buffer for raptors (other than Swainson's hawk).</p> <p>B. The project proponent shall submit evidence of implementation of compliance with practices as outlined in mitigation.</p> <p>C. If necessary, implement site-specific recommendations under the guidance of a qualified biologist.</p>			
#11	<p>MM 4.4-5: For any undeveloped parcel, the Project applicant shall implement the following measures prior to and during construction:</p> <ol style="list-style-type: none"> 1. If construction activities are conducted completely outside of the California horned lark breeding season (August 1 through February 28), then preconstruction surveys are not required. 2. For construction activities conducted during the California horned lark breeding season (March 1 through July 31), the applicant shall retain a qualified biologist to conduct preconstruction surveys and identify active nests on and within 300 feet of the project site to avoid, minimize, and 	Prior to and during construction	Planning and Development Department Qualified Biologist CDFW (if applicable)		
		<p>Steps to Compliance:</p> <p>A. If applicable, the applicant shall retain a qualified biologist to conduct preconstruction surveys and identify active nests on and within 300 feet of the project site to avoid, minimize, and mitigate potential impacts on California horned lark nesting within the project site.</p>			

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	<p>mitigate potential impacts on California horned lark nesting within the project site. The surveys shall be conducted no more than 30 days before the beginning of construction. If no nests are found, no further mitigation will be required.</p> <p>3. If active California horned lark nests are found within the nest survey area, the construction contractor shall avoid impacts on such nests by establishing a no-disturbance buffer around active nest sites identified during preconstruction surveys. The appropriate buffer size shall be determined by a qualified biologist in consultation with CDFW, based on the nature of the project activity, the extent of existing disturbance in the area, visibility of the disturbance from the nest site, and other relevant circumstances.</p> <p>4. No construction activity shall occur within the buffer area of a particular nest until a qualified biologist, in consultation with CDFW, confirms that the chicks have fledged or the nesting cycle has otherwise completed. Monitoring of the nest by a qualified biologist during construction activities shall be required if the activity has the potential to adversely affect the nest. If construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the no-disturbance buffer shall be increased until the agitated behavior ceases. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.</p>	<p>B. If active California horned lark nests are found, the construction contractor shall avoid impacts on such nests by establishing a no-disturbance buffer around active nest sites identified during preconstruction surveys. Buffer size to be determined by qualified biologist in consultation with CDFW. No construction activity shall occur within the buffer area of a particular nest until a qualified biologist, in consultation with CDFW, confirms that the chicks have fledged or the nesting cycle has otherwise completed</p> <p>C. If necessary, implement site-specific recommendations under the guidance of a qualified biologist.</p>			
#12	<p>MM 4.4-6: For any undeveloped parcel, if an active Swainson's hawk nest is discovered at any time within a half-mile of active construction, the Project applicant shall implement the following measures prior to and during construction:</p>	Prior to and during construction	Planning and Development Department Qualified Biologist		

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	<ol style="list-style-type: none"> 1. If construction activities are conducted outside of the breeding season (September 1 through February 28), then preconstruction surveys are not required. 2. For construction activities conducted during the breeding season (March 1 through August 31), the applicant shall retain a qualified biologist to conduct preconstruction surveys and identify active nests on and within 0.5 mile of the project site to avoid, minimize, and mitigate potential impacts on Swainson's hawk nesting adjacent to the project site. The surveys shall be conducted no more than 30 days before the beginning of construction. If no nests are found, no further mitigation will be required. 3. If active Swainson's hawk nests are found within the nest survey area, the construction contractor shall avoid impacts on such nests by establishing appropriate buffers around active nest sites identified during preconstruction raptor surveys. No project activity shall commence within the buffer areas until a qualified biologist has determined, in coordination with CDFW, that the young have fledged, the nest is no longer active, or reducing the buffer would not result in nest abandonment. CDFW guidelines recommend implementation of 0.5-mile-wide buffers for Swainson's hawk nests, but the size of the buffer may be decreased if a qualified biologist and the applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. 4. No construction activity shall occur within the buffer area of a particular nest until a qualified biologist, in consultation with CDFW, confirms that the chicks have fledged or the nesting cycle has otherwise completed. Monitoring of the nest by a qualified biologist during construction activities shall 	Steps to Compliance: <ol style="list-style-type: none"> A. If construction activities are conducted outside of the breeding season (September 1 through February 28), then preconstruction surveys are not required. B. For construction activities conducted during the breeding season (March 1 through August 31), the applicant shall retain a qualified biologist to conduct preconstruction surveys and identify active nests on and within 0.5 mile of the project site to avoid, minimize, and mitigate potential impacts on Swainson's hawk nesting adjacent to the project site. The surveys shall be conducted no more than 30 days before the beginning of construction. C. If necessary, implement site-specific recommendations under the guidance of a qualified biologist. D. The project proponent shall submit evidence of implementation of compliance with practices as outlined in mitigation. 			

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	be required if the activity has the potential to adversely affect the nest. If construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the no-disturbance buffer shall be increased until the agitated behavior ceases. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.				
#13	<p>MM 4.4-7: Prior to construction activities on any undeveloped parcel, a qualified biologist shall conduct a pre-construction survey with special attention to trees and manmade structures. The survey shall be conducted within 14 days prior to the construction activities. If no suitable trees or manmade structures that can support bats is detected, no further action is required.</p> <p>If bats are detected, then acoustical sampling shall be conducted to determine species. If pallid bats, western mastiff bats, or hoary bats are identified to be roosting in the trees or structures, work will not commence until:</p> <ol style="list-style-type: none"> 1. Bats have been passively excluded from the tree or structure by progressively boarding up any entrances at night while bats are foraging away from the tree or structure. Relocation of bats may not be performed during the breeding season (March 1 to September 15). 2. Permanent, elevated bat houses have been installed outside of, but near the construction area, preferably in designated open space areas. Placement and height will be determined by a qualified biologist, but the height of bat house will be at least 15 feet. Bat houses will be multi-chambered. The 	Prior to construction activities	Planning and Development Department Qualified Biologist		
		<p>Steps to Compliance:</p> <ol style="list-style-type: none"> A. A qualified biologist shall conduct a pre-construction survey with special attention to trees and manmade structures. The survey shall be conducted within 14 days prior to the construction activities. B. The project proponent shall submit evidence of implementation of compliance with practices as outlined in mitigation. 			

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	<p>number of bat houses required will be dependent upon the size and number of colonies present, but at least one bat house will be installed for each pair of bats (if occurring individually) or each colony of bats found.</p> <p>3. If a tree or structure containing a roost for pallid, western mastiff, or hoary bats will be removed or may lead to roost abandonment during construction, a qualified biologist will design and determine an appropriate location for an alternate roost structure.</p>				
#14	<p>MM 4.4-8: Prior to construction activities on any undeveloped parcel, all personnel shall attend a Worker Environmental Awareness Training (WEAT). The WEAT shall be developed and conducted by a qualified biologist.</p> <p>1. The program shall include information on the life history of all of the special-status species determined herein to have potential to occur onsite, including migratory birds, raptors, and California tiger salamander.</p> <p>2. The program shall discuss each species' legal protection, status, the definition of "take" under the Endangered Species Act, measures the Project proponent must implement to protect the species, reporting requirements, specific measures that each worker shall employ to avoid take of wildlife species, and penalties for violation of the State and Federal ESAs.</p> <p>3. The program shall provide information on how and where to bring injured wildlife for treatment in the case any animals are injured on the Project site, and how to document wildlife mortalities and injuries.</p> <p>4. An attendance form signed by each worker indicating that environmental training has been completed will be kept on</p>	Prior to construction activities	Planning and Development Department Qualified Biologist		
		<p>Steps to Compliance:</p> <p>A. All personnel shall attend a Worker Environmental Awareness Training (WEAT). The WEAT shall be developed and conducted by a qualified biologist and shall comply with the mitigation measure.</p> <p>B. The project proponent shall submit attendance form indicating that environmental training has been completed to the Planning and Development Department.</p>			

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	record. A copy of the sign-in sheet shall be submitted to The City of Fresno Planning and Development Department.				
#15	MM 4.4-9: Prior to removal of trees, Project proponents shall consult with the City of Fresno to determine if a tree removal permit is required, and if required shall comply with Fresno Municipal Code, Chapter 13, Article 3.	Prior to removal of trees	Planning and Development Department		
		Steps to Compliance: A. Project proponent shall consult with the City of Fresno to determine if a tree removal permit is required, and if required shall comply with Fresno Municipal Code, Chapter 13, Article 3.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the final EIR to the extent feasible.					
4.5	Cultural Resources				
#16	MM 4.5-1: If previously unknown historical resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the qualified historical resources specialist and recommended to the City. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the City approves the measures to protect these resources.	Before or during grading activities	Planning and Development Department Qualified Historical Resources Specialist, if applicable.		
		Steps to Compliance: A. If previously unknown historical resources are encountered, construction shall stop and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. B. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources. C. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the qualified historical resources specialist and recommended to the City. Appropriate measures for significant			

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	Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.	<p>resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the City approves the measures to protect these resources.</p> <p>D. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p>			
#17	<p>MM 4.5-2: If a Cannabis License application is submitted on a parcel of land that has not previously been graded, a field survey and literature search for prehistoric archaeological resources shall be conducted by a qualified historical resources specialist. The following procedures shall be followed:</p> <p>1. If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the developer and City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and required to the developer and City. Appropriate measures for</p>	Prior to issuance of grading permits	Planning and Development Department Qualified Archaeologist, if applicable		
		<p>Steps to Compliance:</p> <p>A. If a Cannabis License application is submitted on a parcel of land that has not previously been graded, a field survey and literature search for prehistoric archaeological resources shall be conducted by a qualified historical resources specialist.</p> <p>B. A copy of the report shall be submitted to the Planning and Development Department.</p>			

Mitigation Monitoring Program					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<p>significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the lead agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p> <p>2. If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist.</p> <p>3. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.</p>				
#18	MM 4.5-3: In the event that human remains are unearthed during excavation and grading activities of any future development project,	During construction and operations	Planning and Development Department		

Mitigation Monitoring Program					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<p>all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98(a).</p> <p>If the remains are determined to be of Native American descent, the Coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.</p>				
<p>Steps to Compliance:</p> <p>A. In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately.</p> <p>B. If required, the project proponent shall contact the County Coroner to assess the find.</p> <p>C. If required, the County Coroner shall contact the Native American Heritage Commission to assess the find.</p> <p>D. The Planning and Development Department shall verify compliance with the mitigation measure.</p>					
<p>Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the final EIR to the extent feasible.</p>					
4.6	Energy				
#19	<p>MM 4.6-1: Beginning in 2022, within 15 days of submitting an application for renewal of a cultivation license to the Bureau of Cannabis Control, the project proponent of any conditional use permit, for a cannabis related business (cultivation only), shall provide written documentation to the City of Fresno of compliance with State</p>	<p>Within 15 days of submitting an application for renewal of a cultivation license to the Bureau of</p>	<p>Planning and Development Department</p>		

Mitigation Monitoring Program					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<p>requirements of CCR Title 3, Div. 8, Chapter 1, Section 8203 (g). Written documentation shall include the following information:</p> <ol style="list-style-type: none"> 1. Total electricity supplied by local utility provider, name of local utility provider, and greenhouse gas emission intensity per kilowatt hour reported by the utility provider under Section 398.4(c) of the Public Utilities Code for the most recent calendar year available at time of submission; 2. Total electricity supplied by a zero net energy renewable source, as set forth in Section 398.4(h)(5) of the Public Utilities Code, that is not part of a net metering or other utility benefit; 3. Total electricity supplied from other unspecified sources, as defined in 398.2(e) of the Public Utilities Code, and other on-site sources of generation not reported to the local utility provider (e.g., generators, fuel cells) and the greenhouse gas emission intensity from these sources; 4. Average weighted greenhouse gas emission intensity considering all electricity use in subsections (1), (2), and (3). 	<p>Cannabis Control, beginning in 2022</p> <p>Steps to Compliance:</p> <p>A. Project proponent must provide written documentation to the Planning and Development Department of compliance with State requirements as outlined in the mitigation measure.</p>			
#20	<p>MM 4.6-2: Beginning on January 1, 2023, the project proponent of any conditional use permit, for a cannabis related business (cultivation only), shall provide written documentation to the City of Fresno of compliance with State requirements of CCR Title 3, Div. 8, Chapter 1, Section 8305 (Renewable Energy Requirements). As evidence of meeting the standard, licensees shall comply with the following:</p> <ol style="list-style-type: none"> 1. If a licensee's average weighted greenhouse gas emission intensity as provided in Section 8203(g)(4) is greater than the local utility provider's greenhouse gas emission intensity, the 	<p>Prior to issuance of conditional use permit, beginning on/after January 1, 2023</p> <p>Steps to Compliance:</p> <p>A. This mitigation measure shall be incorporated as a condition of approval for a conditional use permit.</p>	Planning and Development Department		

Mitigation Monitoring Program					
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	<p>licensee shall provide evidence of carbon offsets from any of the following sources to cover the excess in carbon emissions from the previous annual licensed period:</p> <ol style="list-style-type: none"> Voluntary greenhouse gas offset credits purchased from any of the following recognized and reputable voluntary carbon registries: <ul style="list-style-type: none"> American Carbon Registry; Climate Action Reserve; Verified Carbon Standard. Offsets purchased from any other source are subject to verification and approval by the Department. <p>2. New licensees, without a record of weighted greenhouse gas emissions intensity from the previous calendar year, shall report the average weighted greenhouse gas emissions intensity, as provided in Section 8203(g)(4), used during their licensed period at the time of license renewal. If a licensee's average weighted greenhouse gas emissions intensity is greater than the local utility provider's greenhouse gas emissions intensity for the most recent calendar year, the licensee shall provide evidence of carbon offsets or allowances to cover the excess in carbon emissions from any of the sources provided in subsection (a).</p>	B.	Project proponent must provide written documentation to the City of compliance with State requirements as outlined in the mitigation measure.		
<p>Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the final EIR to the extent feasible.</p>					

Mitigation Monitoring Program					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.7	Geology and Soils				
#21	<p>MM 4.7-1: The project applicant of a conditional use permit for any commercial cannabis related business proposed on land not previously disturbed or located within an existing building, shall submit a site-specific PRA. The PRA shall include Project-specific records searches of the UCMP and Paleobiology databases, as well as, searches at regional repositories such as the Natural History Museum of Los Angeles County.</p> <p>If the Project-specific PRA indicates high potential for encountering significant paleontological resources, a Project-specific Paleontological Resource Impact Mitigation Program (PRIMP) shall be prepared prior to issuance of grading permits. The PRIMP shall be prepared by a professional paleontologist who meets or exceeds the SVP (2010) qualification standards for Project Paleontologist/Principal Investigator. The PRIMP shall specify the steps to be taken to mitigate impacts to paleontological resources. For instance, Worker's Environmental Awareness Program (WEAP) training shall be prepared prior to the start of Project-related earth-moving activities and presented in person to all field personnel to describe the types of fossils that may be found and the procedures to follow if any are encountered. The PRIMP shall also specify whether construction monitoring is required, and, if so, the frequency of required monitoring (i.e., full-time, spot-checks, etc.); provide details about fossil collection, analysis, and preparation for permanent curation at an approved repository; and describe the different reporting standards to be used—monitoring with negative findings versus monitoring resulting in fossil discoveries.</p>	Prior to approval of conditional use permit	Planning and Development Department Professional Paleontologist, if applicable		
<p>Steps to Compliance:</p> <p>A. This mitigation measure shall be incorporated as a condition of approval for a conditional use permit.</p> <p>B. If the Project-specific PRA indicates high potential for encountering significant paleontological resources, a Project-specific Paleontological Resource Impact Mitigation Program (PRIMP) shall be prepared prior to issuance of grading permits.</p> <p>C. A copy of the report shall be submitted to the Planning and Development Department.</p>					
<p>Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the final EIR to the extent feasible.</p>					

Mitigation Monitoring Program					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.8	Greenhouse Gases				
#22	MM 4.8-1: The Project applicant shall be required to comply with all applicable State and San Joaquin Valley Air Pollution Control District (SJVAPCD) Rules and Regulations related to greenhouse gas emissions.	Prior to issuance of a grading or building permit or conditional use permit	Planning and Development Department		
		Steps to Compliance: A. The project proponent shall submit evidence of implementation of compliance with applicable State air pollution control laws and regulations. B. The project proponent shall submit evidence of implementation of compliance with applicable rules and regulations of the San Joaquin Valley Air Pollution Control District during construction and operation.			
#23	MM 4.8-2: Prior to the approval of a site plan, issuance of a grading or building permit, or as on site plans for applications for a conditional use permit, the Project applicant shall provide details to the Fresno City Planning and Development Department that the following menu of greenhouse gas emissions reduction measures are being implemented in conformance with the Commercial Cannabis Ordinance. Building design standards shall be made conditions of approval of any commercial/industrial site plan.	Prior to approval of a site plan, issuance of a grading or building permit, or as on site plans for applications for a conditional use permit.	Planning and Development Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan, grading or building permit. B. The project proponent shall submit evidence of implementation of compliance of the mitigation measure.			

Mitigation Monitoring Program					
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	4. Implement a water wise program that includes all feasible measures to reduce indoor water use and associated energy use (e.g., for interior fixtures, require tankless water heaters and low-flow plumbing and fixtures).				
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the final EIR to the extent feasible.					
4.9	Hazards and Hazardous Materials				
#24	MM 4.9-1: As part of the Conditional Use Permit Application, all commercial cannabis related businesses which may utilize hazardous materials, shall include a Hazardous Materials Business Plan (HMBP) and a Waste Management Plan (WMP), approved by the Fresno County Environmental Health Department. The HMBP shall include, at a minimum, floor plans of the facility and business conducted at the site; an inventory of hazardous materials that are handled or stored onsite; and an Emergency Response and Training Plan. The WMP shall include a list of all byproducts associated with cannabis manufacturing, and a plan for proper disposal, at an approved facility.	Concurrent with submittal of a conditional use permit application	Planning and Development Department		
		Steps to Compliance: A. Submit final hazardous material business plan to the Fresno Planning and Development Department for review and approval. B. The project proponent shall provide the hazardous materials business plan to all contractors working on the project and shall ensure that one copy is available at the project site at all times.			
#25	MM 4.9-2: For cannabis processing operations with systems that use solvents that are potentially flammable or toxic, the project applicant shall provide written verification to the Fresno County Environmental Health Department and the City of Fresno Planning and Development Department that the cannabis operations meet the following requirements: <ol style="list-style-type: none"> 1. Use a closed-loop system that will prevent off-gassing; 2. Use solvents that are recognized as safe pursuant to the Federal Food, Drug and Cosmetic Act; 3. Have a licensed engineer certify that the system was commercially manufactured, is safe for its intended use, and 	Prior to approval of a site plan, issuance of a grading or building permit, or as on site plans for applications for a conditional use permit	Planning and Development Department Fresno County Environmental Health Department Licensed Engineer		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review.			

Mitigation Monitoring Program					
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	<p>was built to codes of recognized and generally accepted good engineering practices, including, but not limited to, the American Society of Mechanical Engineers, the American National Standards Institute, Underwriters Laboratories, the American Society for Testing and Materials, or Occupational Safety and Health Administration Nationally Recognized Testing Laboratories;</p> <ol style="list-style-type: none"> 4. Have a certification document that includes the unit's serial number and is signed by a professional engineer; 5. Receive and maintain approval from local fire officials for the closed-loop system, other equipment, the extraction operation and the facility; and 6. Adhere to federal, State and local fire protection standards. 	<p>B. The Fresno County Environmental Health Services Division shall verify compliance and licenses.</p> <p>C. Evidence of compliance shall be submitted to the Planning and Development Department.</p>			
#26	<p>MM 4.9-3: Volatile Manufacturing Employee Training Plan. Cannabis activities dealing in volatile manufacturing shall develop a Volatile Manufacturing Employee Training Plan (Training Plan) and submit to the City as part of the permitting and licensing process. Volatile manufacturing means to compound, blend, extract, infuse, or otherwise make or prepare a cannabis product with the use of volatile solvents or substances including but not limited to, butane and ethanol. The Training Plan shall detail how the licensed volatile manufacturing proponents will train their employees on the proper use of equipment and on the proper hazard response protocols in the event of equipment failure, per established OSHA standards. The Training Plan shall include a log, identifying trained employees and the date upon which training was completed.</p>	<p>Prior to approval of a site plan, issuance of a grading or building permit, or as on site plans for applications for a conditional use permit</p>	Planning and Development Department		
		<p>Steps to Compliance:</p> <p>A. Cannabis activities dealing in volatile manufacturing shall develop a Volatile Manufacturing Employee Training Plan (Training Plan) and submit to the City as part of the permitting and licensing process.</p> <p>B. Training Plan should include details outlined in the mitigation measure.</p>			
#27	<p>MM 4.9-4: In the event of planned renovation or demolition of any structures on the proposed site, prior to the issuance of demolition</p>	Prior to issuance of demolition permits	Planning and Development Department		

Mitigation Monitoring Program					
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	<p>permits, asbestos and lead based paint (LBP) surveys shall be conducted in order to determine the presence or absence of asbestos-containing materials (ACM) and/or LBP. Removal of friable ACM, and non-friable ACMs that have the potential to become friable, during demolition and/or renovation shall conform to the standards set forth by the National Emissions Standards for Hazardous Air Pollutants (NESHAPs).</p> <p>The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the responsible agency on the local level to enforce the National Emission Standards for Hazardous Air Pollutants (NESHAPs) and shall be notified by the property owners and/or developers of properties (or their designee(s)) prior to any demolition and/or renovation activities. If asbestos-containing materials are left in place, an Operations and Maintenance Program (O&M Program) shall be developed for the management of asbestos containing materials.</p>		San Joaquin Valley Air Pollution Control District		
		Steps to Compliance: <ol style="list-style-type: none"> In the event of planned renovation or demolition of any structures on the proposed site, asbestos and lead based paint (LBP) surveys shall be conducted in order to determine the presence or absence of asbestos-containing materials (ACM) and/or LBP. SJVAPCD shall be notified prior any demolition and/or renovation activities. If asbestos-containing materials are left in place, an Operations and Maintenance Program (O&M Program) shall be developed for the management of asbestos containing materials. 			
#28	MM 4.9-5: All cannabis license applications which may utilize hazardous materials, shall include a Fire Hazard Plan (FHP), approved by the Fresno Fire Department. The FHP shall include, at a minimum, floor plans of the facility and business conducted at the site; an inventory of hazardous materials that are handled or stored onsite; and an Emergency Response and Training Plan.	Prior to approval of a site plan, issuance of a grading or building permit, or as on site plans for applications for a conditional use permit	Planning and Development Department Fresno Fire Department		
		Steps to Compliance: <ol style="list-style-type: none"> Fire Hazard Plan must be sent to the Fresno Fire Department for approval and shall contain details outlined in mitigation measure. 			
#29	MM 4.9-6: All cannabis license applications submitted to the City of Fresno shall include proof that the proposed site is not located on the Cortese List, pursuant to Government Code Section 65962.5. Any site	Prior to approval of a site plan, issuance of a grading or building	Planning and Development Department		

Mitigation Monitoring Program					
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	<p>found to be located on the list shall be remediated consistent to California State regulations, and written documentation shall be submitted to the City of Fresno, prior to final occupancy of the site. If the property is listed the applicant shall submit a Phase I ASTM report that determines the current state of the hazardous materials, and any management restrictions on the use of the site. The report and any recommendations shall be reviewed by Fresno County Environmental Health Department and the City of Fresno to determine if a Phase II ASTM is warranted.</p> <p>Appropriate subsurface testing and recommended remediation, with regulatory agency oversight, shall be undertaken if considered warranted by Fresno County Environmental Health Department and the City of Fresno. Potential remediation options could include excavation and offsite disposal of contaminated soil, in-place treatment, and/or the installation of protective barriers.</p>	<p>permit, or as on site plans for applications for a conditional use permit</p>	Fresno County Environmental Health Department		
<p>Steps to Compliance:</p> <p>A. The project proponent shall submit documentation that the proposed site is not located on the Cortese List.</p> <p>B. Any site found to be located on the list shall be remediated consistent to California State regulations, and written documentation shall be submitted to the City of Fresno, prior to final occupancy of the site.</p> <p>C. If the property is listed the applicant shall submit a Phase I ASTM report that determines the current state of the hazardous materials, and any management restrictions on the use of the site.</p> <p>D. The Fresno County Environmental Health Department and the City of Fresno will determine if a Phase II ASTM is warranted.</p>					
<p>Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the final EIR to the extent feasible.</p>					
4.10	Hydrology and Water Quality				
#30	<p>MM 4.10-1: Concurrent with submittal of a conditional use permit for any cultivation facility, the applicant shall submit to the City Planning and Development Department a Wastewater Control Plan (WCP). The WCP shall include best management practices for capture and treatment of runoff (including recycling systems for capture and reuse of produced water, disclosure of pesticides to be used, and amounts of individual contaminate concentrates that will be disposed of through public wastewater treatment facilities. If contaminate concentrations exceed wastewater standards, pretreatment of wastewater will be required, prior to disposal. The plan shall also</p>	<p>Concurrent with submittal of a conditional use permit application.</p>	Planning and Development Department		
<p>Steps to Compliance:</p> <p>A. This mitigation measure shall be incorporated as a condition of approval for issuance of conditional use permit.</p> <p>B. The project proponent shall submit a Wastewater Control Plan that specifies Best Management Practices.</p>					

Mitigation Monitoring Program					
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	outline the materials to be used to create impermeable flooring surfaces and containment directly beneath all cultivation areas and associated walkways.	C. The Planning and Development Department shall review and approve the Wastewater Control Plan.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the final EIR to the extent feasible.					
4.11	Land Use and Planning				
	No Mitigation required.				
4.12	Mineral Resources				
	No Mitigation required.				
4.13	Noise				
#31	MM 4.13-1: The following mitigation measures shall be implemented during construction of Cannabis related facilities: 1. Per the City of Fresno Municipal Code, construction activities should not occur outside the hours of 7:00 a.m. to 10:00 p.m., Monday through Saturday. Construction activities should not occur during any hours on Sunday. If construction is permitted outside of these hours, all sensitive receptors within 1,000 feet from any property boundary containing a residence, school, daycare or youth center shall be notified at least one week prior; 2. All construction equipment shall be properly maintained and muffled to minimize noise generation at the source; 3. Noise-producing equipment shall not be operating, running, or idling while not in immediate use by a construction contractor;	During construction activities	Planning and Development Department Project contractor		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for issuance of conditional use permit. B. The project proponent shall comply with the mitigation measure throughout construction.			

Mitigation Monitoring Program					
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	4. All noise-producing construction equipment shall be located and operated, to the extent possible, at the greatest possible distance from any noise-sensitive land uses; and 5. Signs shall be posted at the construction site displaying hours of construction activities and a contact phone number.				
#32	<p>MM 4.13-2: As part of the application submittal for a conditional use permit for all new commercial cannabis businesses, located in the Cannabis Innovation Zone and within 1,000 feet from any property boundary containing a residence, school, daycare or youth center, the applicant shall submit a site-specific acoustical analysis to ensure operational noise compliance with applicable City of Fresno noise level standards. The following mitigation measures shall be implemented to ensure operational noise compliance with applicable City of Fresno noise level standards, in areas within the Cannabis Innovation Zone, if Cannabis-related activities are to be located within 1,000 feet of a sensitive receptor:</p> <ol style="list-style-type: none"> 1. All ground- and roof-mounted HVAC equipment HVAC equipment located within 300 feet of a sensitive receptor shall be properly screened to provide acoustic shielding of associated noise levels. This may include the implementation of roof parapets, solid screening walls or the placement of the unit as such to block line-of-sight of sensitive receptors. 2. Daytime (7:00 a.m. to 10:00 p.m.) loading dock activities shall not occur within 350 feet of a sensitive receptor and Nighttime (10:00 p.m. to 7:00 a.m.) loading dock activities shall not occur within 1,000 feet of a sensitive receptor, without the preparation of a site-specific acoustical analysis. 3. Daytime (7:00 a.m. to 10:00 p.m.) generator activities shall not occur within 200 feet of a sensitive receptor and Nighttime (10:00 p.m. to 7:00 a.m.) generator activities shall 	Concurrent with submittal of a conditional use permit application	Planning and Development Department		
<p>Steps to Compliance:</p> <ol style="list-style-type: none"> A. This mitigation measure shall be incorporated as a condition of approval for issuance of conditional use permit. B. Project applicant shall submit a site-specific acoustical analysis to ensure operational noise compliance with applicable City of Fresno noise level standards. C. The Planning and Development Department shall review the acoustical analysis. 					

Mitigation Monitoring Program					
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	not occur within 600 feet of a sensitive receptor, without the preparation of a site-specific acoustical analysis. Daytime (7:00 a.m. to 10:00 p.m.) on-site truck movements shall not occur within 100 feet of a sensitive receptor and Nighttime (10:00 p.m. to 7:00 a.m.) onsite truck movements shall not occur within 325 feet of a sensitive receptor, without the preparation of a site-specific acoustical analysis.				
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the final EIR to the extent feasible.					
4.14	Population and Housing				
	No Mitigation required.				
4.15	Public Services				
	Implement Mitigation Measure MM 4.9-1 through MM 4.9-3, and MM 4.10-1.				
4.16	Recreation				
	No Mitigation required.				
4.17	Traffic and Transportation				
#33	MM 4.17-1: As part of the application submittal for a conditional use permit for new commercial cannabis businesses, the applicant shall submit a focused traffic analysis once the following applicable criteria has been exceeded:	Concurrent with submittal of a conditional use permit application	Planning and Development Department California Department of Transportation		
	<ol style="list-style-type: none"> The total number of commercial cannabis businesses in the Cannabis Innovation Zone has exceeded 282,000 square feet; The total number of commercial cannabis businesses within TIZ III has exceeded 140,000 square feet; 	Steps to Compliance: A. Project proponent shall submit focused traffic analysis once applicable criteria in the mitigation measure have been exceeded.			

Mitigation Monitoring Program					
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	<p>3. The total number of commercial cannabis businesses within TIZ I, II, and IV has exceeded 282,000 square feet.</p> <p>The focused traffic study shall be approved by the City of Fresno and shall be submitted and approved by the California Department of Transportation.</p>	<p>B. The focused traffic study shall be approved by the City of Fresno and shall be submitted and approved by the California Department of Transportation.</p>			
#34	<p>MM 4.17-2: As part of the application submittal for a conditional use permit for new cannabis retail businesses, the applicant shall submit a focused traffic analysis once the following applicable criteria has been exceeded:</p> <ol style="list-style-type: none"> 1. The total number of cannabis retail businesses within TIZ III has exceeded 4,500 square feet; 2. The total number of cannabis retail businesses within TIZ I, II, and IV has exceeded 9,000 square feet. <p>The focused traffic study shall be approved by the City of Fresno and shall be submitted and approved by the California Department of Transportation.</p>	Concurrent with submittal of a conditional use permit	Planning and Development Department California Department of Transportation		
		<p>Steps to Compliance:</p> <p>A. Project proponent shall submit focused traffic analysis once applicable criteria in the mitigation measure have been exceeded.</p> <p>B. The focused traffic study shall be approved by the City of Fresno and shall be submitted and approved by the California Department of Transportation.</p>			
#35	<p>MM 4.17-3: As part of the application submittal for a conditional use permit for any cannabis related businesses submitted after adoption of VMT regulations by the City of Fresno, the applicant shall comply with all requirements and measures associated with the adopted rules. For any cannabis related business CUP submitted prior to adoption of VMT regulations, adherence to mitigation measures in Impact 4.17-1 shall be required.</p>	Concurrent with submittal of a conditional use permit	Planning and Development Department		
		<p>Steps to Compliance:</p> <p>A. After adoption of VMT regulations by the City of Fresno, the applicant shall comply with all requirements and measures associated with the adopted rules.</p> <p>B. For any cannabis related business CUP submitted prior to adoption of VMT regulations, adherence to mitigation measures in Impact 4.17-1 shall be required.</p>			

Mitigation Monitoring Program					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the final EIR to the extent feasible.					
4.18	Tribal Cultural Resources				
	Implement Mitigation Measures MM 4.5-1 through MM 4.5-3.				
4.19	Utilities and Service Systems				
#36	MM 4.19-1: For all cannabis cultivation businesses, prior to issuance of building permits, certification of water service connection must be submitted to the City of Fresno. Water service connections must be certified by a licensed engineer or architect and include proper documentation for the estimated water usage of the proposed business and the recommended water service connection.	Prior to issuing of building permits	Planning and Development Department Licensed engineer or architect		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. Prior to issuance of building permits, certification of water service connection must be submitted to the City of Fresno. C. Water service connections must be certified by a licensed engineer or architect and include proper documentation for the estimated water usage of the proposed business and the recommended water service connection.			
#37	MM 4.19-2: During construction of future commercial cannabis facilities, the Project applicant shall not store construction waste onsite for longer than the duration of the construction activity or transport any waste to any unpermitted facilities. The Project applicant shall also reduce construction waste transported to landfills by ensuring construction and demolition waste is hauled to one of the six City-approved construction and demolition disposal facilities listed above.	During construction activities	Planning and Development Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. During construction activities the project proponent shall ensure the measure is adhered to.			

Mitigation Monitoring Program					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#38	<p>MM 4.19-3: In order to reduce the amount of waste generated from cannabis-related operations being taken to the landfill, the following shall be incorporated into the CUP conditions of approval for each Project:</p> <p>Businesses generating four cubic yards or more of commercial solid waste per week are required to recycle and take one, or any combination, of the following actions:</p> <ol style="list-style-type: none"> 1. Subscribe to source separated recycling service with a regional franchise hauler authorized to provide service for the area in which the business is located; 2. Subscribe to a mixed solid waste recycling service with a regional franchise hauler authorized to provide service for the areas in which the business is located; 3. Self-recycle and certify compliance with Ordinance No. 2003-100; 4. Undertake a combination of such measures, or such alternate measures as may be approved by the City to reduce the amount of waste from the commercial sector being taken to a landfill. 	Prior to issuing of conditional use permit	Planning and Development Department		
		<p>Steps to Compliance:</p> <p>A. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</p> <p>B. Documentation of compliance of the mitigation measure must be submitted to the Planning and Development Department.</p>			
#39	<p>MM 4.19-4: Prior to issuance of grading or building permits, the Project applicant shall construct adequate, segregated, onsite screened storage for collection of commercial solid waste and source separated recyclable materials if constructing new facilities or if existing facilities do not provide such areas. The area shall be designed to be architecturally compatible with the development and shall not prevent security of the recyclables. Driveways and/or travel aisles shall provide, at a minimum, unobstructed access for collection vehicles and personnel. A sign clearly identifying all recycling/solid</p>	Prior to issuance of grading or building permits.	Planning and Development Department		
		<p>Steps to Compliance:</p> <p>A. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</p> <p>B. Project proponent must submit documentation of compliance of the mitigation measure to the Planning and Development Department.</p>			

Mitigation Monitoring Program					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	waste collection and loading areas and the materials accepted shall be posted adjacent to all points of direct access to the area.				
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the final EIR to the extent feasible.					
4.20	Wildfire				
	Implement Mitigation Measure MM 4.10-1.				