

**TOWN OF
APPLE VALLEY, CALIFORNIA
AGENDA MATTER**

Subject Item:

ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND APPROVAL OF THE YUCCA LOMA ROAD/YATES ROAD/GREEN TREE BOULEVARD TRANSPORTATION IMPROVEMENT PROJECT

Summary Statement:

The environmental review process for the Yucca Loma Road/Yates Road/Green Tree Boulevard Transportation Improvement Project, pursuant to the California Environmental Quality Act (CEQA) requirements, is ready for review and approval by the Town Council, including adoption of the Mitigated Negative Declaration. In addition, review in accordance with the National Environmental Policy Act (NEPA) is nearing completion and is being coordinated by Caltrans and the Federal Highway Administration (FHWA) with a Finding of No Significant Impact (FONSI) anticipated. Completing this stage of the project allows the Town, San Bernardino County, and the City of Victorville the opportunity to move forward with final design, right-of-way acquisition, and ultimately, construction of this long awaited project.

(Continued on page 2.)

Recommended Action:

Move to open public hearing and take testimony.

Close the public hearing. Then:

1. In conformance with the requirements of the California Environmental Quality Act (CEQA), and the State Guidelines to Implement CEQA, that the Town Council:
 - a. **Adopt** Resolution No. 2010-56 adopting the Mitigated Negative Declaration, including all recommended environmental findings and all measures found in the Environmental Commitments Record.
2. **Approve** as the locally preferred alternative: Alternative "B" from the Environmental Document which includes the entire Yucca Loma Road/Yates Road/Green Tree Boulevard Project from Apple Valley Road to Hesperia Road and avoids acquisition of residents along the roadway alignment.
3. **Direct** staff to file the Notice of Determination with the San Bernardino County Clerk of the Board.
4. **Direct** Town of Apple Valley staff to advance final design and right of way acquisition for the Town and work with the City of Victorville and San Bernardino County staff to develop a Memorandum of Understanding for completion of County and City portions.

Proposed by: Engineering Division

Item Number _____ **T. M.**

Town Manager Approval: _____ **Budgeted Item** Yes No N/A
Council Meeting Date 12/14/10

The Yucca Loma Road/Yates Road/Green Tree Boulevard project is a multi-jurisdictional, cooperative effort including segments in Apple Valley, San Bernardino County, and the City of Victorville, and will create the long awaited additional east/west corridor for the Victor Valley Region. Pursuant to a Memorandum of Understanding (MOU) between the three jurisdictions, the Town of Apple Valley is the Lead Agency for the CEQA process with the County of San Bernardino and the City of Victorville as responsible agencies.

Should the Town approve the CEQA documentation and the project, work would advance individually by jurisdiction; unless a subsequent MOU is reached for joint delivery of the design, right-of-way acquisition, and construction. Staff from the three agencies is currently working on such an MOU and funding agreement for a first phase project that would extend from Apple Valley Road to Hesperia Road for the first phase project. The agreement would be presented to the Town and City Councils and the Board of Supervisors for consideration once the environmental phase of the project is complete.

Actual construction of the first phase of the project could begin as early as 2011.

Background and Introduction

The purposes of the proposed Project are to:

- Achieve circulation element goals of the General Plans for the Town of Apple Valley, County of San Bernardino, and City of Victorville;
- Provide a new east-west route across the Mojave River and BNSF Railroad connecting the Town of Apple Valley, County of San Bernardino, and City of Victorville from Apple Valley Road to Hesperia Road;
- Provide through traffic capacity on Yucca Loma Road, Yates Road, and Green Tree Boulevard; and
- Accommodate pedestrians and non-motorized modes of travel through the new corridor including access across the Mojave River and the BNSF Railroad.

According to the General Plan Circulation Elements for the Town of Apple Valley, County of San Bernardino, and City of Victorville, a major east-west route over the Mojave River is needed to reduce both existing and projected traffic congestion within the Victor Valley area. The Town of Apple Valley's Circulation Element states under Local Programs, "The Town is currently (2008) working on major transportation programs within its boundaries. These include ...the construction of the Yucca Loma Bridge, which will result in a four lane bridge and an additional crossing over the Mojave River into Victorville..." The City of Victorville's Circulation Element, Circulation Plan, Changes to the Roadway Network (pages C-23 and C-24) states, "The following roadway changes, consisting of new extensions and/or realignments, are planned for implementation prior to the 2035 build-out year...The extension of Green Tree Boulevard from Hesperia Road to Yates Road." San Bernardino's Circulation Element states the proposed projects is consistent with all of the Plan's circulation and infrastructure goals and policies and are presented in the Major Roads and Freeways section of the County's General Plan (San Bernardino County 2007).

This Project and its improvements have been coordinated with multiple agencies and projects to improve the overall transportation network in the Victor Valley area. The Victor Valley Area is comprised of the Cities of Adelanto, Hesperia and Victorville, the Town of Apple Valley, and the

County of San Bernardino. The proposed Project has been identified in the Victor Valley Area Transportation Study (VVATS) and County of San Bernardino's Comprehensive Transportation Plan (CTP) and Congestion Management Program (CMP) as an integral component of the Victor Valley transportation system.

Transportation models for recommended regional improvements demonstrate that roadway improvements proposed in the VVATS, including those associated with the Yucca Loma Road/Yates Road/Green Tree Boulevard Transportation Improvement Project; improve the overall operations of the Victor Valley Transportation Network.

A new east-west route is needed because there is currently not a route across the Mojave River and BNSF Railroad between State Route 18 (SR-18) (2.5 miles to the north of the project) and Bear Valley Road (2.1 miles to the south of the project). This new route is needed to connect the Town of Apple Valley, County of San Bernardino, and City of Victorville.

Yucca Loma Road, Yates Road, and Green Tree Boulevard currently operate separately and connecting these roads would provide a through traffic route. The proposed through traffic capacity is needed for conductivity between the Town of Apple Valley, County of San Bernardino, and City of Victorville.

There are currently no crossings of the Mojave River at Yucca Loma Road or Yates Road for pedestrians and non-motorized modes of travel. The proposed Project is needed to provide a route across the Mojave River and BNSF Railroad that is accommodating of both pedestrians and non-motorized modes of travel. This Project will provide a connection for these modes of transportation between the Town of Apple Valley, County of San Bernardino, and City of Victorville.

ADOPTION OF THE MITIGATED NEGATIVE DECLARATION

Project Description

The proposed Project will provide a new route across the Mojave River and BNSF Railroad between the Town of Apple Valley, County of San Bernardino, and City of Victorville. The eastern limit of the Project is at the intersection of Yucca Loma Road and Apple Valley Road. The western limit is at the intersection of Green Tree Boulevard and Hesperia Road.

The proposed Project will widen Yucca Loma Road from two to four lanes from Apple Valley Road to its current terminus east of Kasanka Trail. A new bridge crossing over the Mojave River ("Mojave River Bridge") will be constructed extending the roadway to Yates Road. This bridge will be built wide enough for an ultimate build out use of six lanes but will be striped for four lanes. The bridge will also have shoulders and sidewalks. Space for sidewalk will be allowed on both sides of Yucca Loma Road; however, it is anticipated sidewalk will only be built on one side of the street as part of this Project. A new signal with crosswalks is planned at Havasu Road.

Yates Road will be widened from two lanes to four lanes. From Fortuna Lane to Park Road roadway widening is necessary. From Park Road to Ridgecrest Road, Yates Road is currently built wide enough for four lanes, but has been striped and used for two lanes of traffic. Pavement rehabilitation and restriping is needed in this area. Yates Road as it connects to Ridgecrest Road will be realigned to the east to allow connection to an extension of Green Tree Boulevard. A pedestrian path is planned along the north side of Yates Road, connecting from the bridge over the Mojave River to Ridgecrest Road and Green Tree Boulevard.

Ridgecrest Road will be realigned from approximately 500 feet (ft) south of Chinquapin Drive to a new intersection of Yates Road and the extension of Green Tree Boulevard. Signals are planned at the new intersection and sidewalks will connect the three streets.

Green Tree Boulevard will be extended with four through travel lanes from the new Ridgecrest Road/Yates Road intersection to Hesperia Road by following one of two alternate alignments. The Green Tree Boulevard south alignment, Alternative A, is centered on the existing property Section Line boundary and impacts four single-family residential parcels located between the railroad right-of-way and Hesperia Road. Alternative B, the Green Tree Boulevard north alignment, shifts the roadway approximately 150 ft to the north, avoiding the four single-family residential parcels. New access roads will maintain access to the four parcels. Grading will allow for sidewalk to be built on both sides of the roadway; however, construction of sidewalks is anticipated to occur as development in the area occurs. Both Green Tree Boulevard alignment alternatives require the construction of a new bridge over the BNSF railroad which will also be striped for four lanes and include sidewalks.

Two special public meetings were held to provide information and to encourage public participation in the soundwall decision process. Residents had the opportunity to vote if they would like soundwalls to be included adjacent to their property. Prior to these meetings, voting forms were mailed to property owners whose property is adjacent to a proposed soundwall. Based on local and federal guidelines and the results of the feedback received, soundwalls are proposed in certain locations to abate noise impacts associated with the Project. Attachment 2 is an exhibit that shows the results of the voting and location of wall recommended as part of the project.

Various utility relocations and realignments will be necessary throughout the Project. Both Alternative A and Alternative B will provide Class II bicycle lanes and sidewalks throughout the entire Project alignment.

To control access to the Spring Valley Lake community, portions of Yates Road will have a center divider. Only right-in and right-out turning movements will be permitted for general traffic at Tahoe Lane and Fortuna Lane.

The project will be constructed as a complete roadway from Apple Valley Road to Hesperia Road; however, construction of the project in two phases may be necessary to align project costs with available funding. As part of phase one, the entire roadway corridor would be graded for full project build out and the two bridges would be built to full size, but the roadway would initially be paved and striped as a two lane roadway. Bicycle lanes, pedestrian facilities, and intersection improvements would be included with phase one. Phase two is expected to be development driven and would construct, pave, and stripe for the full four-lane facility. Construction of phase one is anticipated to begin in the spring of 2011 and take four to five years to complete, while phase two is anticipated to take one to two years once started.

The first project phase is projected to cost approximately \$65 million and the three jurisdictions have initiated a joint funding agreement for its construction. This initial funding agreement outlines existing and potential funding sources for construction to complete the entire two lane facility from Apple Valley Road to Hesperia Road. Existing funding sources include \$13 million in Town of Apple Valley Redevelopment Agency bond funds, \$8 million in San Bernardino County Measure I funds, \$8 million in STP funds programmed by SANBAG, and \$1 million in Congestion Mitigation Air Quality funds. In addition, the agencies have identified developer impact fees, Measure I sales tax, and Proposition 1B funds as likely sources for the balance of phase one costs. As traffic in the region increases over the subsequent 20 years, construction

of the full four-lane facility would be needed. Developer impact fees are anticipated as the funding source for phase two at a cost of approximately \$15 million.

Large transportation projects often must be built using multiple construction packages. Phase one is large and complex enough that multiple construction packages are likely. Construction packages will be planned during design and right-of-way acquisition activities, as environmental constraints, construction requirements, and site conditions dictate. The first set of construction packages is anticipated to include the Mojave River Bridge over the Mojave River, soundwalls along Yucca Loma Road and Yates Road, intersection modifications, and other improvements from Apple Valley Road to Ridgecrest Road. They would be followed by the construction of the BNSF railroad bridge and the extension of Green Tree Boulevard, completing phase one.

Environmental Review

An environmental document, consisting of an Initial Study with Proposed Mitigated Negative Declaration)/Environmental Assessment and Section 4(f) Evaluation (IS [MND]/EA) was required for this project. The Town of Apple Valley is the CEQA lead agency and responsible for approving and adopting the Mitigated Negative Declaration. Caltrans, as designated by FHWA, is the federal lead agency for NEPA compliance. The purpose of this IS (MND) is to evaluate the potential environmental impacts associated with implementation of the proposed Project. This document has been prepared to fulfill the requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) and to comply with the environmental regulations of the Town, City, County, Caltrans, and the FHWA. Following public circulation of the Draft IS (MND)/EA, February 10, 2010 to March 11, 2010, the Alternative B became the Preferred Alternative for the proposed project. Alternative B shifts the Green Tree Boulevard Alignment approximately 150 feet north and avoids the acquisition of four single family residential parcels.

The Initial Study evaluated the following areas:

- Human Environment
 - Parks and Recreational Facilities
- Cultural Resources
- Physical Environment
 - Air Quality
 - Noise Quality
- Traffic Study and Supplemental
- Biological Environment
- Water Quality
- Cumulative Impacts
- Climate Change

Public Participation

Early and continuing coordination with the public and appropriate public agencies was an essential part of the environmental process for this project, as a way to gain public input and to

determine the scope of environmental documentation, the level of analysis, and the potential impacts and mitigation measures. Agency consultation and public outreach have been accomplished through a variety of formal and informal methods, including newsletters, public workshops, project development team meetings, interagency coordination meetings, scoping meetings, and coordination with resource agencies, Native American individuals and organizations.

Public Informational Workshops at the start of the environmental review process for the project were held at the Town of Apple Valley Town Hall on February 19, 2008 and November 6, 2008. The meetings provided opportunities for the public to see the proposed Project alignment, learn about the environmental process, and provide input. The first meeting was attended by approximately 110 members of the public; the second meeting was attended by approximately 50 members of the public.

A meeting with Spring Valley Lake Association was held at the Spring Valley Lake Community Center on January 27, 2009 to further discuss aspects of the proposed Project and to address concerns of the community. Comments expressed by the public concern increases in noise, increases in traffic (including cut through traffic in the Spring Valley Lake community), aesthetic impacts associated with potential sound walls, property value, relocations of residences along Coad Road, wildlife resources, increases in crime, and traffic related safety for the Rio Vista Elementary School children.

Consultation with the following agencies and departments occurred as part of preparing the project technical reports and the Initial Study. These agencies and departments are identified in the various technical reports and include:

- California Department of Fish and Game
- California Department of Transportation
- City of Victorville
- Federal Highways Administration
- Lahontan Regional Water Quality Control Board
- Mojave Narrows Regional Park
- Native American Heritage Commission
- San Bernardino Associated Governments
- San Bernardino County
- San Bernardino County Flood Control District
- United State Army Corps of Engineers
- United States Fish and Wildlife Service
- Wildlife Conservation Board

The Draft IS (MND) was circulated for public comment from February 10, 2010 through March 11, 2010. A public notice announcing circulation and availability of the document was published in the Victorville Daily Press and Apple Valley News on February 10, 2010 and February 12, 2010, respectively. The Draft Initial Study was also available for review at the Town of Apple Valley Town Hall, Apple Valley Public Library, San Bernardino Public Library, City of Victorville City Hall, and on the Town of Apple Valley's website. Copies were also made available for staff and other interested parties at the City of Victorville and County of San Bernardino.

During the circulation process numerous opportunities for public comment were provided and information meetings were held to encourage public participation. All individuals who own property within a half-mile radius of the project alignment were sent a notice in both English

and Spanish informing them that the environmental document was available for review and the locations it was available. This notice also contained an invitation to a February 25, 2010 public information meeting held by the Town of Apple Valley. Comment cards and a Court Reporter were available for the public to submit comments. A reminder postcard was also sent to the same individuals a few days before the meeting. Approximately 80 people attended this meeting. In addition, the Town Council included an agenda item in their March 9, 2010 regular agenda to allow the public to provide comments as part of the agenda item.

The final environmental document has been modified to reflect all substantive public and agency comments, responses to comments, and decisions regarding the proposed Project. A summary of these meetings is included in the body of the environmental document, and all official comments received during that period have been included with responses under Appendix O.

In addition to other general project public meetings, two special public meetings were held to provide information and to encourage public participation in the soundwall decision process. This process allowed for resident to have the opportunity to vote on if they would like soundwalls to be included adjacent to their property. Prior to these meetings, voting forms were mailed to property owner located adjacent to a proposed soundwall. The first meeting was for soundwalls located along Yucca Loma Road and was held at the Rio Vista Elementary School on March 3, 2010 from 6-8 p.m. The second meeting was for soundwalls located along Yates Road and was held at the Spring Valley Lake Community Center on March 4, 2010 from 6-8 p.m. These meetings explained the proposed walls, a review of the local and federal guidelines related to use of soundwalls, and how in certain applications they would be beneficial for reducing additional vehicular noise. Questions from the public were answered by the Town of Apple Valley and Dokken Engineering staff, and voting sheets were collected to document property owners' soundwall preference. In order to collect enough votes to make a determination on each wall, Dokken Engineering staff was able to obtain phone numbers for some property owners and collected additional ballots. Subsequent to that, staff went door to door to collect votes from residents that had not yet responded. Door to door vote collecting was conducted on March 31, 2010 from 9:30 a.m. to 7:30 p.m.

Based on the results of the voting and in accordance with federal soundwall abatement guidelines, soundwalls are recommended to be included in some locations along Yates Road and Yucca Loma Road. Attachment 2 provides a map shown the wall locations, voting results and which walls are included in the project.

A total of 61 project/comment letters were received during the availability period for the Draft IS/EA. Letters were received from local citizens, regulatory agencies, Council members, and other stakeholders.

Copies of the comments, along with the responses, are included in Appendix O of the Final IS (MND)/EA-Finding of No Significant Impact (FONSI).

Based on the environmental analysis and the comments received, an Environmental Commitment Record (otherwise known as a "Mitigation Monitoring and Reporting Program") was created to ensure that all project impacts are less than significant under CEQA. The Environmental Commitments Record is included as Attachment 3 and is also included in the IS/EA as Appendix E.

Findings

Following preparation of the project's Initial Study and public review, it has been determined that the proposed project will not have a significant effect on the environment for the following reasons:

- The project will have no effect on farmlands and timberlands, coastal zone, wild and scenic rivers, sole source aquifer, or mineral resources; and,
- The project will have no significantly adverse effects on parks and recreational facilities, community resources, utilities/emergency services, traffic and transportation systems, visual and aesthetic resources, cultural resources, hydrology and floodplains, water quality and stormwater runoff, geology and soils, paleontological resources, hazardous waste and hazardous materials, air quality, noise, biological resources, and climate change through the implementation of avoidance, minimization, and mitigation measures.

A Mitigated Negative Declaration has been prepared that identifies the various avoidance, minimization, and mitigation measures related to park and recreational facilities, community resources, traffic and transportation systems, utilities/emergency services, visual and aesthetic resources, cultural resources, hydrology and floodplains, water quality and stormwater runoff, geology and soils, paleontological resources, hazardous waste and hazardous materials, air quality, noise, biological resources, and climate change. Implementation of the avoidance, minimization, and mitigation measures, as identified in the Environmental Commitment Record, will ensure that the proposed project will have no significant effect on the environment. The Environmental Commitment Record is attached and is included as Appendix E to the Final IS (MND)/EA.

APPROVAL OF PROJECT

The entire Project has completed the Environmental Studies and Preliminary Engineering phase. It will be necessary to construct the project in phases and with multiple construction packages. The use of phases and construction packages is included in the final environmental document.

Based upon the foregoing, staff recommends adoption of Mitigated Negative Declaration and approval of the Yucca Loma Road/Yates Road/Green Tree Boulevard Transportation Improvement Project.

Attachments:

1. Final Initial Study with Mitigated Negative Declaration/Environmental Assessment and Section 4(f) Evaluation with Finding of No Significant Impact including Response to Public Comments on file with Town Clerk.
2. Yucca Loma Road and Yates Road Proposed Soundwall Locations.
3. Environmental Commitment Record (also known as a "Mitigation Monitoring and Reporting Program")

Attachment 2

Yucca Loma Road/Yates Road/Green Tree Boulevard Transportation Project Evaluated Soundwall Locations, Voting Summary, and Proposed Locations



Yucca Loma Road Proposed Soundwalls

LEGEND
— = Soundwall



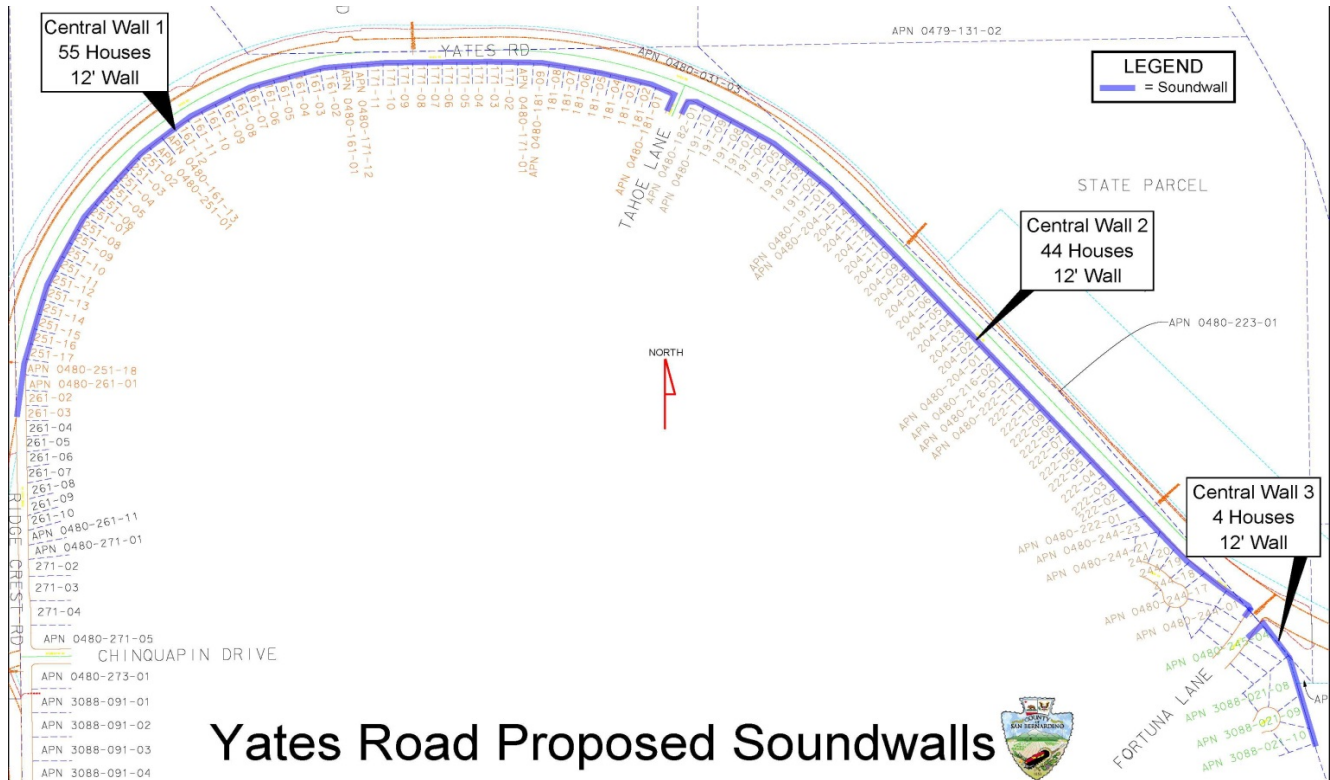
Resident Location with Respect to Yucca Loma Road	Votes in Favor of Soundwall	Votes Opposed to Soundwall	Non-Responsive Home Owners*	Wall to be advanced to next step**
RESIDENTS ADJACENT THE NORTH SIDE OF YUCCA LOMA ROAD				
Yucca North 1A Wall (Havasu Road to the Mojave River)	0	1	0	No
Yucca North 1 Wall (Havasu Road to the Mojave River)	4	0	5	No
Yucca North 3 Wall (Havasu Road to Cochise Road)	6	4	3	No
Yucca North 6 Wall (Cochise Road and Wawona Road)	0	0	1	No
Yucca North 7 Wall (Cochise Road to Wawona Road)	1	0	0	Yes
RESIDENTS ADJACENT THE SOUTH SIDE OF YUCCA LOMA ROAD				
Yucca South 1A Wall (Kasanka Trail)	0	1	0	No
Yucca South 1 Wall (Kasanka Trail)	1	0	0	Yes
Yucca South 3 Wall (Kasanka Trail to school boundary)	3	0	1	No
Roadside Playground Wall (School property)	1	0	0	Yes
Yucca South 5 Wall (Havasu Road to Cochise Road)	6	0	2	No
Yucca South 8 Wall (Cochise Road to Apple Valley Road)	0	0	1	No

*Non-responsive home owners will be counted as a “no” vote.

Attachment 2

Yucca Loma Road/Yates Road/Green Tree Boulevard Transportation Project Evaluated Soundwall Locations, Voting Summary, and Proposed Locations

**100% votes in favor of a soundwall are required in order to advance wall to the next step.



Yates Road Proposed Soundwalls

1 of 2

Resident Location with Respect to Yates Road	Votes in Favor of Soundwall	Votes Opposed to Soundwall	Non-Responsive Home Owners	% of voter response received	% responsive voters in favor	Wall to advanced to final design
RESIDENTS ADJACENT THE SOUTH SIDE OF YATES ROAD						
Central Wall 1 (Chinquapin Drive to Tahoe Lane)	24	6	25	51%	79%	Yes
Central Wall 2 (Tahoe Lane to Fortuna Lane)	25	2	20	57%	93%	Yes
Central Wall 3 (Fortuna Lane to Mojave River)	2	2	0	100%	50%	Yes

Attachment 3

Yucca Loma Road/Yates Road/Green Tree
Boulevard Transportation Improvement Project

Environmental Commitments Record

Appendix E of the Final Environmental Document

December 2010

The Town of Apple Valley, as the lead agency under the California Environmental Quality Act (CEQA), has developed an Environmental Commitments Record for the Yucca Loma Road/Yates Road/Green Tree Boulevard Transportation Improvement Project. This Environmental Commitments Record is included as Appendix E of the final Initial Study with Mitigated Negative Declaration/Environmental Assessment and Section 4(f) Evaluation with Finding of No Significant Impact (December 2010). This plan is designed to ensure that the mitigation measures identified in the Project's Initial Study/Environmental Assessment Report are implemented.

The following table contains a list of the avoidance, minimization, and/or mitigation measures. For each measure, the table identifies timing of implementation, party responsible for implementation, completion check box, and space for initials.

The Town of Apple Valley is responsible for ensuring the implementation of all measures in this Environmental Commitments Record.

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
Parks and Recreational Facilities					
<p>Measure Parks-1: Access to the Mojave Narrows Regional Park will remain open throughout construction of the proposed Project. If lane closure is necessary in the immediate vicinity of the intersection, a flag person will be designated to direct traffic through construction zones. Construction should be coordinated to avoid peak recreation times in order to minimize impacts to recreational uses.</p>	During construction	Resident Engineer	<input type="checkbox"/>	_____	
<p>Measure Parks-2: Exclusionary fencing shall be utilized during construction activities to limit areas of disturbance within the Mojave Narrows Regional Park.</p>	Prior to construction (prepare) / During construction (implement)	Town / Resident Engineer	<input type="checkbox"/>	_____	
<p>Measures Park-3: Temporary impacts to land associated with the Mojave Narrows Regional Park will be returned to its prior condition after associated construction activities are completed.</p>	During and after construction	Town / Resident Engineer	<input type="checkbox"/>	_____	
<p>Measure Parks 4: The Yates Road and Park Road intersection will be designed to include turn lanes and turn pockets and space for a pedestrian walkway will be included along Yates Road adjacent to the park.</p>	During and after construction	Town / Resident Engineer	<input type="checkbox"/>	_____	
<p>Measure Parks 5: Fencing preventing illegal entry into the Mojave Narrows Regional Park currently exists along Yates Road from Fortuna Lane to west of Park Avenue. This fencing will be repaired, replaced, and improved during construction. In addition, a formal gate will be installed for flood control access at the intersection of Fortuna Lane and Yates Road. The primary point of illegal access into the park and Mojave River Channel is where the bridge will be built and that access point will be eliminated by replacing the existing fence along the north side of Yates Road and tying into the bridge. Based on design which includes a curb, fill slope, and fence, access along Yates Road from Fortuna to Park Road will be prevented. Access to the Mojave Narrows Regional Park on Yates Road to Park Road to Ridgecrest Road will be prevented by the planned implementation of rock slope protection and the existing steep slopes. These design strategies will be included and fully explained in the final plans and specifications.</p>	During and after construction	Town / Resident Engineer	<input type="checkbox"/>	_____	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
Relocation					
<p>Measure RLC-1: The Town of Apple Valley shall comply with the Uniform Relocation Assistance Real Property Acquisition Policies Act of 1970, as amended in 1987. The Town of Apple Valley shall provide relocation advisory assistance to any person, business, farm, or nonprofit organization displaced as a result of the Town’s acquisition of real property for public use. A Summary of Relocation Benefits is provided in Appendix D.</p>	Prior to construction	Town	<input type="checkbox"/>	_____	
Utilities/Emergency Services					
<p>Measure UTL/ES-1: To avoid any minimize interruptions of service to utility customers, a series of coordination letters shall be sent to all impacted utility companies to identify utilities within the proposed Project. Letters will indicate where utility relocations are to be performed and the required time to relocate them. Design plans will be sent to involved utility owners during the Project development phase. Meetings will be arranged with utility companies as necessary to discuss impacts and relocation plans.</p>	Prior to construction	Town	<input type="checkbox"/>	_____	
<p>Measure UTL/ES-2: A Traffic Management Plan shall be prepared. The plan should identify the construction schedule and any lane closures. It will be ensured that there is appropriately designed access for emergency services onto all roads involved in the proposed Project. The transportation coordination plan will be provided to emergency public services(including fire, police, and hospital facilities). If necessary, the plan will include a public awareness campaign to ensure that the public is aware of where and when any traffic closures, detours, or utility disruptions, if any, will occur.</p>	Prior to construction (prepare) / During construction (implement)	Town / Resident Engineer	<input type="checkbox"/>	_____	
<p>Measure UTL/ES-3: Emergency public services, local law enforcement agencies, and local businesses will be notified of the proposed Project and of any temporary lane closures one month before construction begins.</p>	Prior to construction	Town / Resident Engineer	<input type="checkbox"/>	_____	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
Traffic and Transportation/Pedestrian and Bicycle Facilities					
Measure TRAF-1: Bicycle facilities will be constructed as Class II facilities as the proposed Project is built. During construction, bicycles will be able to use the road as a Class III facility. All existing non-motorized facilities shall be maintained to ADA standards.	Prior to construction (prepare) / During construction (implement)	Town / Resident Engineer	<input type="checkbox"/>	_____	
Measure TRAF-2: A new traffic signal and crosswalks shall be installed at the intersection of Havasu Road and Yucca Loma Road to provide safe access to the Rio Vista Elementary School.	Prior to construction (prepare) / During construction (implement)	Town / Resident Engineer	<input type="checkbox"/>	_____	
Visual/Aesthetics (pending revisions/additions)					
Measure V-1: A portion of the soundwall along Yates Road, which would hinder a direct-line-of site from corresponding backyards, will incorporate see-through material at the upper four ft to maintain views.	Prior to construction (prepare) / During construction (implement)	Town	<input type="checkbox"/>	_____	
Measure V-2: Architectural features will be considered for the bridge structure, soundwalls, and exposed concrete areas, as appropriate, to meet the desired goals of the Town of Apple Valley, County of San Bernardino, and City of Victorville. The Architectural features will be developed with Department, Town of Apple Valley, County of San Bernardino, and City of Victorville aesthetic standards..	Prior to construction (prepare) / During construction (implement)	Town	<input type="checkbox"/>	_____	
Measure V-3: A lighting plan will be developed that requires Project lighting to be appropriately shielded. Project lighting design will be consistent with all Department, Town of Apple Valley, County of San Bernardino, and City of Victorville lighting and aesthetic guidelines and standards.	Prior to construction (prepare) / During construction (implement)	Town / Resident Engineer	<input type="checkbox"/>		
Measure V-4: A replanting plan shall be developed to address re-vegetation and shading in coordination with Town of Apple Valley, County of San Bernardino, and City of Victorville staff.	Prior to construction (prepare) / During construction (implement)	Town / Resident Engineer	<input type="checkbox"/>	_____	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
Cultural					
CR-1: If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
CR-2: If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission who will then notify the Most Likely Descendent. At this time, the person who discovered the remains will contact Gwyn Alcock, District 8 Native American Heritage Coordinator, so that they may work with the Most Likely Descendent on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
CR-3: An ESA exists on this project. The ESA Action Plan appears in HPSR Attachment 8 and will be included in the final design (PS&E) package and designated on project layouts to protect potential cultural resources within the APE. These areas shall be fenced during construction and no access shall be granted to construction personnel or equipment.	Prior to construction (prepare) / During construction (implement)	Town / Resident Engineer	<input type="checkbox"/>	_____	
CR-4: ESA fencing near Kasanka Trail will include a posting that states, "No contractor access beyond this point".	Prior to construction	Resident Engineer	<input type="checkbox"/>	_____	
Hydrology and Floodplain					
Measure HYD-1: Final design and construction shall comply with the Mojave River FMP.	Prior to construction	Town	<input type="checkbox"/>	_____	
Measure HYD-2: Construction activity in the riverbed shall be limited by ESA fencing to minimize disturbance to the surrounding vegetation.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
Measure HYD-3: Transplantation and/or revegetation shall be performed in order to maintain vegetation within impacted areas of the floodplain. Revegetation of native habitats shall be performed in accordance with the Mojave River FMP.	After construction	Town / Resident Engineer	<input type="checkbox"/>	_____	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<p>Measure HYD-4: Prior to construction, a Flood Control Permit will be obtained from the San Bernardino County Flood Control Operations Division.</p>	<p>Prior to Construction</p>	<p>Town</p>	<p><input type="checkbox"/></p>	<p>_____</p>	
<p>Water Quality and Stormwater Runoff</p>					
<p>Measure WQ-1: A General Permit for Discharges of Stormwater Associated with Construction Activity (Construction General Permit # CAS000002, 99-08-DWQ) shall be obtained because the proposed Project involves more than one acre of disturbance. A SWPPP shall be prepared and implement erosion and sediment control BMPs detailed in the SWPPP during construction activities. The Department Stormwater Quality Manuals (SWPPP Preparation Manual) should be used as Project guidance to develop the SWPPP.</p>	<p>Prior to construction</p>	<p>Town / Resident Engineer</p>	<p><input type="checkbox"/></p>	<p>_____</p>	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<p>Measure WQ-2: Erosion-Control Measures shall be implemented during construction. To minimize the mobilization of sediment to adjacent water bodies, the following erosion-control and sediment-control measures will be included in the Storm Water Pollution Prevention Plan to be included in the construction specifications, based on standard Town/City/County measures and standard dust-reduction measures.</p> <ul style="list-style-type: none"> • Soil exposure should be minimized through the use of temporary BMPs, groundcover, and stabilization measures; • Material stockpiles should be located in non-traffic areas only. Side slopes should not be steeper than 2:1. All stockpile areas should be surrounded by a filter fabric fence and interceptor dike; • Sandbagged silt fences should be installed in all waterways in which construction work occurs, both upstream and downstream of the construction site; where water is present. Any accumulated sediment should be removed and trucked to an approved disposal site; • Areas requiring clearing, grading, revegetation, and recontouring should be identified and areas to be cleared, graded, and recontoured should be minimized; • Spoil sites should be graded to minimize surface erosion; • Where appropriate, bare areas should be covered with mulch and cleared areas should be revegetated with native species; • The contractor shall conduct periodic maintenance of erosion- and sediment-control measures; • Where rock slope protection is needed, an appropriate seed mix of native species shall be planted on disturbed areas upon completion of construction. Native, non-invasive species shall be used in erosion control plantings to stabilize site conditions and prevent invasive species from colonizing; and • Measures should be implemented to minimize soil compaction from construction-related travel occurring within streambeds located on the proposed Project site. 	<p>Prior to construction (prepare) / During construction (implement)</p>	<p>Town / Resident Engineer</p>	<p style="text-align: center;"><input type="checkbox"/></p>	<p style="text-align: center;">_____</p>	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<p>Measure WQ-3: Implement a Spill Prevention and Control Program. The Town of Apple Valley/ City of Victorville/ County of San Bernardino and/or its contractor(s) will develop and implement a spill prevention and control program to minimize the potential for and effects from spills of hazardous, toxic, or petroleum substances during Project construction.</p>	<p>Prior to construction (prepare) / During construction (implement)</p>	<p>Town / Resident Engineer</p>	<p><input type="checkbox"/></p>	<p>_____</p>	
<p>Measure WQ-4: To conform to water quality requirements, the SWPPP should include the following: Vehicle maintenance and staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants shall be outside of the OHWM. Any necessary equipment washing shall occur where the water cannot flow into the stream channel. Construction vehicles shall be removed from the normal high-water area of the waterway before refueling and lubricating; Construction equipment should not be operated in flowing water; Construction work shall be conducted according to site-specific construction plans that minimize the potential for sediment input to the aquatic system; Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering watercourses; Equipment used in and around waters of the U.S. shall be in good working order and free of dripping or leaking engine fluids; and Any surplus concrete rubble, asphalt, or other rubble from construction shall be taken to an approved disposal site.</p>	<p>Prior to construction (prepare) / During construction (implement)</p>	<p>Town / Resident Engineer</p>	<p><input type="checkbox"/></p>	<p>_____</p>	
<p>Measure WQ-5: Appropriate permanent treatment BMPs will be incorporated during the final design (PS&E) phase.</p>	<p>Prior to construction (prepare) / During construction (implement)</p>	<p>Town / Resident Engineer</p>	<p><input type="checkbox"/></p>	<p>_____</p>	
<p>Measure WQ-6: All temporary erosion- and sediment-control measures shall be removed after the working area is stabilized or as directed by the engineer.</p>	<p>After construction</p>	<p>Resident Engineer</p>	<p><input type="checkbox"/></p>	<p>_____</p>	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
Geology/Soils/Seismic/Topography					
Measure GEO-1: Final design and construction of the proposed Project will conform to all applicable engineering design standards of the Department, Town of Apple Valley, City of Victorville, and County of San Bernardino.	Prior to construction (prepare) / During construction (implement)	Town / Resident Engineer	<input type="checkbox"/>	_____	
Measure GEO-2: Earthwork in the Project area will be performed in accordance with the latest edition to the Department Standard Specifications and/or requirements of applicable government agencies. Additional geologic investigatory field work should be conducted prior to completion of final Project design. Field work will include drilling at substructure locations to a sufficient depth to provide adequate information for the design of the proposed pile foundations and to design the large diameter CIDH piles at the pier locations. Laboratory testing will be conducted and consist of gradation analysis, moisture/density, Atterberg limits (if applicable), strength testing (triaxial shear and direct shear), and corrosion potential. Construction activity will include standard construction BMPs, a SWPPP, and applicable local erosion and sediment control plans.	Prior to construction (prepare) / During construction (implement)	Town / Resident Engineer	<input type="checkbox"/>	_____	
Paleontology					
Measure PALEO-1: A qualified Principal Paleontologist shall be retained to develop, implement, and follow a Paleontological Monitoring Plan for the Project. The Paleontological Monitoring Plan shall be consistent with the guidelines of the Society of Vertebrate Paleontology as well as current Department guidelines and should include attendance at pregrading meeting, discussion for monitoring on both full-time and spot check basis depending upon soil sensitivity, late discovery procedures, and curation procedures.	Prior to construction (prepare) / During construction (implement)	Town	<input type="checkbox"/>	_____	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<p>Measure PALEO-2: A Paleontological Mitigation Report should be completed at the end of the Project. The Paleontological Mitigation Report should be consistent with current Department guidelines. The Paleontological Mitigation Report should describe the methods and results of the monitoring program, even if the results are negative. If applicable, this shall include an appended itemized inventory of identified specimens, discussions on the paleontological significance of any finds, and how they fit into the overall geological context of the area. This report shall be presented to the Department for review; when the review process has been completed, the revised document shall signify completion of the Paleontological Mitigation Report. A copy of the final report and the accession inventory shall be forwarded to the repository institution, the Department, and any other interested parties.</p>	After construction	Town	<input type="checkbox"/>	_____	
Hazardous Waste or Materials					
<p>Measure HW-1: Additional surveys should be conducted to assess presence/extent of RECs and remediate hazardous waste or materials when necessary. Conduct asbestos surveys utilizing a certified consultant prior to any modification to or demolition of the buildings or structures that may be altered or demolished to accommodate the planned construction, which include properties on parcels 3090-331-05; 3090-341-01; 3090-341-03; 3090-341-04; 3090-491-01; 3090-491-02; 3090-491-03 and; 3090-491-04. The survey should include a remediation plan for removal/disposal of asbestos containing material, if encountered.</p>	Prior to construction	Town	<input type="checkbox"/>	_____	
<p>Measure HW-2: Lead-based paint surveys should be conducted utilizing a certified consultant prior to modifications/ demolition of the existing buildings or structures that may be altered or demolished to accommodate the planned construction, which include properties on parcels 3090-331-05; 3090-341-01; 3090-341-03; 3090-341-04; 3090-491-01; 3090-491-02; 3090-491-03 and; 3090-491-04. The survey should include a remediation plan for removal/disposal of lead-based paint, if encountered.</p>	Prior to construction	Town	<input type="checkbox"/>	_____	
<p>Measure HW-3: Testing and removal requirements for yellow striping and pavement marking materials should be performed in accordance with the Department Standard Special Provision 14-001, "Remove Traffic Stripe and Pavement Markings".</p>	Prior to and during construction	Town / Resident Engineer	<input type="checkbox"/>	_____	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<p>Measure HW-4: Investigate and screen for potentially elevated levels of petroleum hydrocarbon contamination, grease, and oils. Perform a preliminary investigation and screening for potentially elevated levels of petroleum hydrocarbon contamination, grease and oils, in the surface and near-surface soils along the Project segments within 50 ft of the existing BNSF railroad alignments. The investigation should include a remediation plan for handling and/or removal/disposal of contaminated soil, if encountered.</p>	Prior to construction	Town	<input type="checkbox"/>	_____	
<p>Measure HW-5: Conduct a physical reconnaissance of properties subject to requiring ROW acquisition. For properties that will require ROW acquisition for the Project, that currently contain miscellaneous stored vehicles and equipment and visually have the potential for hazardous materials storage, a physical reconnaissance of the subject properties by an environmental professional should be performed to assess the presence of stained soil, distressed vegetation or other indicators of on-site contamination from prior land use and to provide recommendations for additional testing and/or remediation, if indicated. These properties include APN's: 3090-331-05; 3090-341-01; 3090-341-03; 3090-341-04; 0480-021-41; 3090-491-01; 3090-491-02; 3090-491-03 and; 3090-491-04.</p>	Prior to construction	Town	<input type="checkbox"/>	_____	
<p>Measure HW-6: Test leaking transformers for PCBs if disturbed. Any leaking transformers observed during the course of the Project should be considered a potential PCB hazard. A detailed inspection of individual electrical transformers was not conducted for this ISA. However, should leaks from electrical transformers (that will either remain within the construction limits or will require removal and/or relocation) be encountered during construction, the transformer fluid should be sampled and analyzed by qualified personnel for detectable levels of PCB's. Should PCBs be detected, the transformer should be removed and disposed of in accordance with the appropriate regulatory agency. Any stained soil encountered below electrical transformers with detectable levels of PCB's should also be handled and disposed of in accordance with the appropriate regulatory agency.</p>	Prior to construction	Town	<input type="checkbox"/>	_____	

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Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<p>Measure HW-7: Follow County of San Bernardino procedures if unknown hazards are inadvertently discovered. As is the case for any project that proposes excavation, the potential exists for unknown hazardous contamination to be revealed during Project construction (such as previously undetected petroleum hydrocarbon contamination from adjacent Mobile gas station and other businesses or contamination from railroad activities). At the time of this ISA, there were no documented leaks or soil/groundwater contamination issues related to the existing Mobile gas station or Tom Martin Concrete Construction business) within or immediately adjacent to the study area and no further investigation of these properties is recommended. However, for any previously unknown hazardous waste/material encountered during construction, these materials shall be handled in accordance with the county of San Bernardino criteria for hazardous waste/ material.</p>	During construction	Resident Engineer	<input type="checkbox"/>	_____	
Air Quality					
<p>Measure AQ-1: The construction contractor shall comply with the Department’s Standard Specifications Section 7-1.01F and Section 10 of the Department’s Standard Specifications (1999).</p>	During construction	Resident Engineer	<input type="checkbox"/>	_____	

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Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<p>Measure AQ-2: During pre-construction and site preparation of the Project site, construction, and post-construction the contractor will use the following measures to minimize dust:</p> <ul style="list-style-type: none"> • Water or dust palliative will be applied to the site and equipment as frequently as necessary to control fugitive dust emissions. • Soil binder will be spread on any unpaved roads used for construction purposes, and all Project construction parking areas. • Cover all transported loads of soils and wet materials prior to transport, or provide adequate freeboard (space from the top of the material to the top of the truck) to reduce PM₁₀ and deposition of particulate during transportation. • Minimize dirt track-out by washing or cleaning trucks before they exit the construction site • Use windbreaks to prevent any accidental dust pollution • Install mulch or plant vegetation as soon as practical after grading to reduce windblown particulate in the area. • Revegetate all vehicular paths created during construction to avoid future off-road vehicular activities. Application of xeriscape principals, including such techniques and materials as native or lower water use plants and low precipitation sprinklers heads, bubblers, drip irrigation systems and timing devices, should also be considered. 	Prior to and during construction	Resident Engineer	<input type="checkbox"/>	_____	
<p>Measure AQ-3: Where feasible, construction equipment should have electric or diesel-powered in lieu of gasoline-powered engines. To the extent possible, construction activity should utilize electricity from power poles rather than temporary diesel power generators and/or gasoline power generators.</p>	During construction	Resident Engineer	<input type="checkbox"/>	_____	
<p>Measure AQ-4: Grading plans should include a statement that work crews will shut off equipment when not in use. Also, grading plans should include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer’s specifications.</p>	During construction	Resident Engineer	<input type="checkbox"/>	_____	

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Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
Measure AQ-5: The contractor should time construction activities so as not to interfere with peak-hour traffic and to minimize obstruction of through traffic lanes adjacent to the site.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
Measure AQ-6: BMPs will be implemented during construction to minimize the amount and duration of objectionable odor around residential properties.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
Measure AQ-7: All excavating and grading activities should cease during second stage smog alerts and periods of high winds.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
Measure AQ-8: Public streets should be cleaned, swept or scraped at frequent intervals or at least three times a week if visible soil material has been carried onto adjacent public roads.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
Measure AQ-9: All construction roads that have high traffic volumes, should be surfaced with base material or decomposed granite, or should be paved or otherwise stabilized.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
Measure AQ-10: Traffic speeds on all unpaved surfaced should not exceed 25 mph.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
Measure AQ-11: Low sulfur or other alternative fuels or diesel powered vehicles with Tier 3 or better engines or retrofitted/repowered – to meet equivalent emissions standards as Tier 3 engines – should be used in construction equipment where feasible.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
Noise					
Measure NOI-1: All construction equipment will conform to the provisions of the Department Standard Specification, Section 14-8.02, “Noise Control”.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
Measure NOI-2: All construction work will conform to the provisions of the Department Standard Specification, Section S5-310, “Noise Control”.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
Measure NOI-3: Noise level requirements shall apply to the equipment on the job or related to the job, including but not limited to trucks, transit mixers or transient equipment that may or may not be owned by the Contractor. The use of loud sound signals shall be avoided in favor of light warnings except those required by safety laws for the protection of personnel.	During construction	Resident Engineer	<input type="checkbox"/>	_____	

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Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
Measure NOI-4: Portable equipment, construction vehicle staging, and equipment maintenance areas should be located as far as possible from noise-sensitive locations.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
Measure NOI-5: Contact information will be provided for noise complaints. A notice of the duration of potential impacts from noise, dust, and glare from the proposed construction will be placed in local news media by the Project sponsor two weeks in advance of the beginning of construction. A number will be made available to the public for calls concerning noise impacts or the proposed schedule.	Before construction	Town	<input type="checkbox"/>	_____	
Measure NOI-6: The contractor shall comply with all local sound control and noise level rules, regulations and ordinances, which apply to any work performed pursuant to the contract.	During Construction	Resident Engineer	<input type="checkbox"/>	_____	
Measure NOI-7: Open grade asphalt or rubberized asphalt shall be utilized in order to reduce noise produced by vehicular traffic.	Prior to and during construction	Town / Resident Engineer	<input type="checkbox"/>	_____	
Measure NOI-8: Prior to approval of the final environmental document, soundwalls that are determined to be reasonable and feasible will be incorporated into the Project plans and specifications if a majority of the impacted residents support the soundwall.	Prior to approval of Environmental Document / During Construction	Town / Resident Engineer	<input type="checkbox"/>	_____	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
Biological Environment					
<i>Natural Communities</i>					
<p>Measure BIO-1: The temporary construction staging areas, access roads, and equipment storage should be strategically placed to avoid and/or minimize impacts to the Mojave riparian forest, southern willow scrub, and freshwater marsh habitat areas. Wherever possible, these areas should be established on existing roads or within proposed ROW of the Project area.</p>	<p>Prior to construction (prepare locations) / During construction (implement)</p>	<p>Town / Resident Engineer</p>	<input type="checkbox"/>	<p>_____</p>	
<p>Measure BIO-2: The Project boundaries, which will include the temporary and permanent construction impact areas, shall be staked in order to contain construction activities within the Project boundaries. The staking shall be done in coordination with a biologist, who is qualified and knowledgeable of sensitive biological resources in the BSA (especially sensitive species), in order to avoid and/or minimize impacts to the most sensitive habitat areas and/or the drip line of the preserved trees.</p>	<p>Prior to construction</p>	<p>Town / Resident Engineer</p>	<input type="checkbox"/>	<p>_____</p>	

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Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<p>Measure BIO-3: After staking is completed, the boundaries shall be temporarily fenced using ESA fencing or lathe with flagging tape. The fencing should be commercial-quality woven polypropylene, orange in color, and at least four ft high (Tensor Polygrid or equivalent). Temporary fences around the ESAs should be installed as the first orders of work. The ESA exclusion fence will delineate the boundaries of the sensitive habitat and the locations of the fence will be documented on all construction maps. In the Mojave River, the ESA fencing should provide openings that accommodate the use of the river as a migratory corridor. A biologist must examine and direct the placement of the ESA fencing to ensure proper construction. When necessary, a biologist must monitor, direct the repair of and report the conditions and effectiveness of the fencing efforts..</p> <p>The following paragraph will be included in the construction specifications:</p> <p style="padding-left: 40px;">The contractor’s attention is directed to the areas designated as “environmentally sensitive areas.” These areas are protected, and no entry by the contractor for any purpose will be allowed unless specifically authorized in writing by the Department or the Town of Apple Valley. The contractor will take measures to ensure that contractor’s forces do not enter or disturb these areas, including giving written notice to employees and subcontractors. Vehicle operation, material and equipment storage, and other surface disturbing activities are prohibited within the fenced environmentally sensitive areas.</p>	<p>Prior to construction / During construction</p>	<p>Town and Resident Engineer</p>	<p style="text-align: center;"><input type="checkbox"/></p>	<p style="text-align: center;">_____</p>	
<p>Measure BIO-4: The freshwater marsh area located to the southeast of the terminus of Yates Road shall be avoided during construction activities because of its close proximity to the Project boundary. A qualified biologist should be on-site during the staking to identify the boundaries of the freshwater marsh and should supervise the placement of ESA exclusion fencing.</p>	<p>Prior to construction / During construction</p>	<p>Town / Resident Engineer</p>	<p style="text-align: center;"><input type="checkbox"/></p>	<p style="text-align: center;">_____</p>	

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Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<p>Measure BIO-5: Vegetation clearing shall only occur within the delineated Project boundaries in an effort to minimize the impacts to existing desert riparian habitat. Trees located in areas along the edge of the construction zone should be trimmed whenever possible and only those trees that lie within the active construction areas should be removed. Where possible, trees and vegetation should be removed in the late fall through late winter months in order to avoid impacts to nesting birds. The biological monitor should be on site during all tree trimming and tree removal.</p>	<p>Prior to construction / During construction</p>	<p>Town / Resident Engineer</p>	<p><input type="checkbox"/></p>	<p>_____</p>	
<p>Measure BIO-6: Compensatory mitigation shall be required to offset the loss of sensitive natural communities. Impacts to sensitive natural communities shall be compensated through restoration or enhancement of native habitats within the Project site, creation of native habitats in an area approved by the resource agencies, and/or permanent preservation of habitat through the purchase of credits in an approved mitigation bank. A 2:1 or 3:1 mitigation ratio will be required for permanent impacts to sensitive natural communities. Sensitive natural communities deemed temporarily impacted by construction impacts will be mitigated at a minimum ratio of 1:1. Assuming a 2:1 mitigation ratio for permanent impacts and a 1:1 mitigation ratio for temporary impacts, approximately 6.551 acres of compensatory mitigation will be required for the Project’s impacts to sensitive natural communities.</p> <p>Mitigation locations and ratios are contingent upon approval by the ACOE, RWQCB, and CDFG. The mitigation location shall be in compliance with the Mojave River FMP. Also, final impacts will be based on environmental conditions and impacts calculated during the final design (PS&E) phase.</p> <p>Mitigation for sensitive natural communities shall be completed as permanent and temporary impacts occur. Mitigation should be completed in the appropriate season following the completed construction of a particular phase.</p>	<p>Prior to, during, and after construction</p>	<p>Town</p>	<p><input type="checkbox"/></p>	<p>_____</p>	
<p>Measure BIO-7: For Project impacts to waters of the U.S., a permit shall be obtained from the ACOE, pursuant to Section 404 of the CWA.</p>	<p>Prior to construction</p>	<p>Town</p>	<p><input type="checkbox"/></p>	<p>_____</p>	

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Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<p>Measure BIO-8: For Project impacts to waters of the U.S., a Water Quality Certification shall be obtained from the Lahontan RWQCB pursuant to Section 401 of the CWA.</p>	Prior to construction	Town	<input type="checkbox"/>	_____	
<p>Measure BIO-9: For Project impacts to waters of the State, a Streambed Alteration Agreement shall be obtained from CDFG, pursuant to Section 1602 of the California Fish and Game Code.</p>	Prior to construction	Town	<input type="checkbox"/>	_____	
<p>Measure BIO-10: A conceptual mitigation plan describing the compensatory mitigation program should be developed and submitted to the ACOE, CDFG, and RWQCB with the environmental permit applications.</p>	Prior to construction	Town	<input type="checkbox"/>	_____	
<i>Wetlands and Other Waters</i>					
<p>Measure BIO-11: Compensatory mitigation shall be required to offset the loss of jurisdictional water features. Impacts to jurisdictional waters should be compensated through restoration or enhancement of jurisdictional water features within the Project site and/or permanent preservation of habitat through the purchase of credits in an approved mitigation bank.</p> <p>A 2:1 or 3:1 mitigation ratio will be required for permanent impacts to jurisdictional water features. Temporary impacts to jurisdictional waters will be mitigated at a 1:1 ratio. Assuming a 2:1 mitigation ratio for permanent impacts and a 1:1 mitigation ratio for temporary impacts, Alternative A will require approximately 3.097 acres of compensatory mitigation and Alternative B will require approximately 3.479 acres of compensatory mitigation for the Project’s impacts to jurisdictional water features.</p> <p>To mitigate for impacts to jurisdictional water features and to provide additional habitat enhancement, an onsite restoration site is being proposed. The Project proposes to fund the restoration of up to 13.79 acres of land located directly adjacent to the Project area (Figure 2.3.1-3). The restoration area is located in the northeast portion of the Project’s BSA within the Mojave River (the Project’s intermittent stream). The area contains abandoned man-made structures that were previously used for irrigation and flood control. The habitat is extremely degraded due to human disturbances and the unnatural diversions of water.</p> <p>The plan for the mitigation consists of removal of debris currently</p>	Prior to, during, and after construction	Town	<input type="checkbox"/>	_____	

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Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<p>present in the basin (concrete, fence posts, trash, etc.), grading to restore natural flows, removal of exotic vegetation, preservation of healthy native trees, and planting of native vegetation. Examples of native vegetation that is proposed for planting consist of Fremont’s cottonwood, black willow (<i>Salix gooddingii</i>), boxelder (<i>Acer negundo</i>), sandbar willow (<i>Salix exidua</i>), wild rose (<i>Rosa woodsii</i>), and mulefat (<i>Baccharis salicifolia</i>).</p> <p>The entire 13.79 acres of land is not required for mitigation; however, the remainder of this land is proposed for additional habitat enhancement. Final mitigation locations and ratios are contingent upon approval by the ACOE, RWQCB, and CDFG during permitting of the Project. The mitigation location shall be in compliance with the Mojave River FMP. Final impact calculations will be based on current environmental conditions and will be refined during the final design (PS&E) phase. Mitigation for jurisdictional waters shall be completed as permanent and temporary impacts occur. Mitigation will be completed in the appropriate season following the completed construction of a particular phase.</p>					
<p>Measure BIO-12: The onsite restoration site will be maintained for approximately two years, pending approval by the environmental regulatory agencies. Maintenance consists of weeding (multiple times a year), watering (multiple times a month), and possible replanting of native vegetation. Construction and maintenance this restoration site (for two years) is estimated to cost approximately \$250,000.</p> <p>The goals/functions of the mitigation area are to restore the natural hydrological and biological functions of the restoration area. One way of measuring this success is by achieving a 50-70% survival of native vegetation. The mitigation area will be monitored by a qualified biologist multiple times per year and the condition of the area will be reported to regulatory agencies on an annual basis.</p> <p>This restoration plan will be submitted to ACOE, CDFG, and RWCQB during the permitting phase of the Project. Final details of the plan are subject to the recommendations and approvals of these agencies.</p>	<p>Prior to, during, and after construction</p>	<p>Town</p>	<p><input type="checkbox"/></p>	<p>_____</p>	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<i>Plant Species</i>					
<p>Measure BIO-13: Joshua tree impacts shall be handled in accordance with the City of Victorville Municipal Code 13.33. For areas within the proposed Project where Joshua trees are expected to be impacted by grading, vegetation removal activities, or other construction-related purposes, a Joshua tree inventory will be conducted.</p>	Prior to construction	Town	<input type="checkbox"/>	_____	
<p>Measure BIO-14: Prior to receiving a grading permit for the proposed Project, an Inspection Report shall be prepared. The Inspection Report should document the proposed removal or damaged to any Joshua trees and the City of Victorville must review and approve the Inspection Report.</p>	Prior to construction	Town	<input type="checkbox"/>	_____	
<p>Measure BIO-15: Any Joshua trees over 6 in diameter and 8 ft high impacted by the Project shall be removed by a professional tree mover and either placed for adoption or for sale. All Joshua tree removal and adoption/sale activities shall be conducted in accordance with the City of Victorville Municipal Code.</p>	Prior to / During construction	Town / Resident Engineer	<input type="checkbox"/>	_____	

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Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<i>Animal Species</i>					
<p>Measure BIO-16: All Project personnel and all construction activities must be educated regarding burrowing owls and other wildlife species issues for the Project area prior to the onset of construction activities. A preconstruction survey shall be conducted to find active burrowing owl burrows within a 250-ft-wide buffer zone around any potentially suitable habitat that will be used during construction activities. A qualified wildlife biologist shall be retained to conduct a preconstruction survey for active burrows according to the CDFG Staff Report on Burrowing Owl Mitigation (CDFG 1995). The preconstruction survey shall be conducted 30 days before ground disturbing construction activities begin. If no burrowing owls are detected, no further mitigation will be required. If active burrowing owl burrows are found in or near the permanent or temporary construction impact area, the project proponent shall contact the regulatory authorities prior to implementing activities that will cause disturbance of any burrowing owl. A Burrowing Owl Mitigation and Monitoring Report must be reviewed and approved by the California Department of Fish and Game prior to any disturbance of burrowing owl. Additionally, the City should implement the following measures if active burrowing owl burrows are found:</p> <ul style="list-style-type: none"> • Occupied burrows shall not be disturbed during the breeding season (February 1 to 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. If avoidance of active nests is preferred, the biologist shall consult with the CDFG to determine appropriate buffer widths and acreage of foraging habitat to be permanently preserved contiguous with the occupied burrow site. • When destruction of occupied burrows is unavoidable during the non-breeding season (September 1 to January 31), unsuitable burrows should be enhanced (enlarged or cleared of debris) or new burrows created (by installing artificial burrows) at a ratio of 2:1 on protected lands approved by the CDFG. Newly created burrows should follow guidelines established by the CDFG. 	Prior to construction	Town	<input type="checkbox"/>	_____	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<p>Measure BIO-17: A pre-construction breeding bird survey shall be conducted within seven days prior to construction activities. This action will be dependent on the timing of the habitat removal.</p>	<p>Prior to construction</p>	<p>Town</p>	<p><input type="checkbox"/></p>	<p>_____</p>	
<p>Measure BIO-18: If construction activities occur during the breeding season, a biological monitor will be present to monitor the activities of nesting birds to ensure that construction noise and dust is not adversely affecting them. A no disturbance buffer, of approximately 500 ft, shall be established around any active nest or breeding pair territory to limit the impacts of construction activities, particularly all noise producing activities (e.g., pile driving), that must occur during the breeding season (March 1 through August 31). A qualified biologist will determine (through coordination with USFWS and CDFG) the extent of an appropriate buffer. Noise readings will be conducted prior to construction to establish the potential boundary where noise levels do not exceed the 60 dBA threshold. If a nest is located within the area of the 60 dBA boundary additional measures will be taken, including the use of a soundwall or sound reducing curtain to reduce noise levels around construction activities, or to stop the offending construction activity until juveniles have fledged.</p>	<p>Prior to construction / During construction</p>	<p>Town</p>	<p><input type="checkbox"/></p>	<p>_____</p>	
<p>Measure BIO-19: All Project personnel shall be educated regarding the wildlife species issues for the BSA prior to onset of construction activities (especially including issues related to special status species). All workers shall be aware of their responsibilities in regards to the species and their habitat. Construction personnel are to remain outside of the ESA zones. If an active nest is located, a qualified biologist will determine (through coordination with the Town, USFWS, and CDFG) the extent of an appropriate buffer. The buffer distance will depend on the level of noise or construction disturbance, and other topographical or artificial barriers.</p>	<p>Prior to / During construction</p>	<p>Town</p>	<p><input type="checkbox"/></p>	<p>_____</p>	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<i>Threatened or Endangered Species</i>					
Measure BIO-20: A pre-construction tortoise survey shall be conducted within 10 days of the start of construction in potentially suitable tortoise habitat. If a tortoise or tortoise sign is found in the impact areas or within the immediate vicinity during the pre-construction survey, USFWS and CDFG shall be immediately notified and avoidance and minimization efforts should be discussed and implemented. If no tortoise or tortoise sign are observed during the pre-construction survey, no avoidance or minimization efforts will be required.	Prior to construction	Town	<input type="checkbox"/>	_____	
Measure BIO-21: If the pre-construction survey (Measure BIO-20) determines desert tortoises have moved into the Project site or within the immediate vicinity, USFWS and CDFG shall immediately be notified. A compensatory mitigation plan should be created and implemented if avoidance and minimization efforts are not enough to offset impacts to the desert tortoise.	Prior to construction (prepare) / During construction (implement)	Town	<input type="checkbox"/>	_____	
Measure BIO-22: Clean up of Project related trash. BMPs should be utilized during construction to reduce the potential for the Project to provide resources that attract common ravens, such as food, water, and trash. All trash should be kept in wildlife-proof receptacles and any non-natural food and water sources should not be left unattended for the duration of the Project construction.	During construction	Resident Engineer	<input type="checkbox"/>	_____	
Measure BIO-23: Lighting on the bridge over the Mojave River and along the widened roads should consist of directional lighting that focuses the light away from the surrounding natural habitats.	Prior to construction	Town / Resident Engineer	<input type="checkbox"/>	_____	
Measure BIO-24: Permanent impacts to desert scrub habitat that is potential MGS habitat should be mitigated at a 1:1. This totals 14.234 acres for Alternative A and 16.197 acres for Alternative B. Temporary impacts to desert scrub communities will not be mitigated for as long as the vegetation removed is revegetated with natural vegetation, suitable for MGS, once construction is complete. Compensatory mitigation land may be purchased from the Desert Tortoise Preserve Committee in suitable MGS habitat.	Prior to and after construction	Town	<input type="checkbox"/>	_____	
Measure BIO-25: A California Fish and Game Code Section 2081 will be necessary for take of MGS potentially suitable habitat.	Prior to construction	Town	<input type="checkbox"/>	_____	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
<i>Invasive Species</i>					
<p>Measure BIO-26: The proposed Project shall comply with EO 13112 through the preparation and implementation of a habitat restoration plan. The plan should include measures to control invasive plant species in the mitigation areas and in the temporary impact areas. Landscaping and erosion control included in the proposed Project will not use species listed as noxious weeds. In areas of particular sensitivity, extra precautions should be taken if invasive species are found in or adjacent to the construction areas. These include eradication strategies to be implemented should an invasion occur.</p>	<p>Prior to construction (prepare) / During restoration (implement)</p>	<p>Town</p>	<p><input type="checkbox"/></p>	<p>_____</p>	
<p>Measure BIO-27: Seed purity shall be certified by a planting seed labeled under the California Food and Agricultural Code, or that has been tested within a year by a seed laboratory certified by the Association of Official Seed Analysts or by a seed technologist certified by the Society of Commercial Seed Technologists. A seed purity rating of no less than 99 percent shall be used.</p>	<p>Prior to restoration</p>	<p>Town</p>	<p><input type="checkbox"/></p>	<p>_____</p>	
<p>Measure BIO-28: Before mobilizing to arrive at the site and before leaving the site, construction equipment shall be inspected and cleaned of mud and other debris that may contain invasive plants and/or seeds and inspected to reduce the potential spreading of noxious weeds.</p>	<p>During construction</p>	<p>Resident Engineer</p>	<p><input type="checkbox"/></p>	<p>_____</p>	
<p>Measure BIO-29: Trucks with loads carrying vegetation shall be covered, and vegetative materials removed from the site shall be disposed of in accordance with all applicable laws and regulations.</p>	<p>During construction</p>	<p>Resident Engineer</p>	<p><input type="checkbox"/></p>	<p>_____</p>	
Climate Change under the California Environmental Quality Act					
<p>Measure GHG-1: Portland cement will be used where possible and if feasible, fly ash will be added to Portland cement mixes. The use of lighter color surfaces such as Portland cement helps to reduce the albedo effect and cool the surface; in addition, the Department has been a leader in the effort to add fly ash to Portland cement mixes. Adding fly ash reduces the GHG emissions associated with cement production—it also can make the pavement stronger.</p>	<p>Prior to construction (plan) / During construction (implement)</p>	<p>Town / Resident Engineer</p>	<p><input type="checkbox"/></p>	<p>_____</p>	
<p>Measure GHG-2: Energy efficient lighting, such as LED traffic signals and street lights, will be used when possible.</p>	<p>Prior to construction (plan) / During construction (implement)</p>	<p>Town / Resident Engineer</p>	<p><input type="checkbox"/></p>	<p>_____</p>	

Attachment 3

Task and Brief Description	Timing	Responsible Party	Completed	Initials	Notes (optional)
Measure GHG-3: Trucks and equipment used during Project construction will have idling restrictions.	During construction	Resident Engineer	<input type="checkbox"/>	_____	

RESOLUTION NO. 2010-56

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, TO APPROVE A MITIGATED NEGATIVE DECLARATION AND SECTION 4(F) EVALUATION WITH FINDING OF NO SIGNIFICANT IMPACT FOR THE YUCCA LOMA ROAD/YATES ROAD/GREEN TREE BOULEVARD TRANSPORTATION IMPROVEMENT PROJECT.

WHEREAS, the Town of Apple Valley General Plan was adopted by the Town Council on August 11, 2009; and

WHEREAS, Yucca Loma Road is classified on the Town's General Plan Circulation Element as a Major Divided Arterial; and

WHEREAS, on November 19, 2010, the Town gave public notice as required under Government Code Section 66451.3 by advertising in the Apple Valley News of the holding of a public hearing by the Town Council at which the project would be considered and mailed to property owners; and

WHEREAS, the thirty (30) day public circulation of the Draft Environmental Document occurred from February 10, 2010 through March 11, 2010; and

WHEREAS, the Draft Initial Study (IS) Mitigated Negative Declaration (MND)/ Environmental assessment (EA) was prepared and circulated pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines, Caltrans guidelines for the preparation of Categorical Exclusions with Studies and the National Environmental Policy Act (NEPA); and

WHEREAS, the project was reviewed under the provisions of the National Environmental Policy Act (NEPA) as required; and

WHEREAS, the California Department of Transportation, acting on behalf of the Federal Highway Administration, is Lead Agency under NEPA and has worked with the Town in preparing the IS/EA in anticipation of making a Finding of No Significant Impact under NEPA; and

WHEREAS, all of the findings and conclusions made by the Town Council pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, the IS/EA analysis of the proposed project concluded that with the implementation of the mitigation measures contained in the document, the proposed project would not have a significant effect upon the environment; and

WHEREAS, based on the environmental analysis and the comments received, an Environmental Commitment Record (otherwise known as a "Mitigation Monitoring and Reporting Program") was created to ensure that all project impacts are less than significant under CEQA; and

WHEREAS, after concluding the public hearing and considering all public testimony and discussing the document's thoroughness and accuracy, the Town Council hereby finds as follows:

1. The Initial Study/Environmental Assessment and Mitigated Negative Declaration/ Finding of No Significant Impact for the Yucca Loma Road/Yates Road/Green Tree Boulevard Transportation Improvement Project have been completed in accordance with the State of California Environmental Quality Act Guidelines, Caltrans Guidelines, and NEPA Guidelines; and
2. The Mitigated Negative Declaration/Environmental Assessment contains all required technical reports which must precede construction and all these reports have been reviewed and accepted by appropriate Responsible and Trustee Agencies. The Town Council hereby finds that the document adequately discusses all significant environmental issues and provides feasible mitigation measures that will ensure environmental effects are reduced to less than significant levels; and
3. The Mitigated Negative Declaration reflects the independent judgment and analysis of the Town.

PASSED, APPROVED and ADOPTED at a regular meeting of the Apple Valley Town Council, held on this 14th day of December, 2010, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Honorable Mayor
Town of Apple Valley

Ms. La Vonda M-Pearson, Town Clerk
Town of Apple Valley, California
(Seal)