* Fish and Wildlife Movement: If project construction or vegetation removal commences during the general nesting season (March 1 through July 31), a pre-construction survey for all species of nesting birds shall be conducted. If active nests are found, work in the vicinity of the nests shall be delayed until the young have fledged. No surveys need to be taken should project construction or vegetation removal commence outside the general nesting season.
* Archaeological Resources: If any subsurface cultural resources are encountered during construction of the project, the City of Livingston Community Development Department shall be notified and all construction activities in the vicinity of the encounter shall be halted until a qualified archaeologist can examine these materials and determine their significance. If the find is determined to be significant, then the archaeologist shall recommend further mitigation measures that would reduce potential effects on the find to a level that is less than significant. Recommended measures may include, but are not limited to, 1) preservation in place, or 2) excavation, recovery, and curation by qualified professionals. The project developer shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the City’s Community Development Department, consistent with the requirements of the CEQA Guidelines.
* c) Human Burials: If project construction encounters evidence of human burial or scattered human remains, the contractor shall immediately notify the County Coroner and the City, which shall in turn notify the appropriate tribal representatives. The City shall notify other federal and State agencies as required. The City will be responsible for compliance with the requirements of California Health and Safety Code Section 7050.5 and with any direction provided by the County Coroner. If the human remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission, which will notify and appoint a Most Likely Descendant. The Most Likely Descendant shall work with the City and a qualified archaeologist to decide the proper treatment of the human remains and any associated funerary objects in accordance with California Public Resources Code Sections 5097.98 and 5097.991. Avoidance is the preferred means of disposition of the burial resources.
* Soil Erosion: Prior to commencement of construction activity, the developer shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) for the project and file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) in compliance with the Construction General Permit and City of Livingston storm water requirements. The SWPPP shall be available on the construction site at all times. The developer shall incorporate an Erosion Control Plan consistent with all applicable provisions of the SWPPP within the site improvement and building plans. The developer also shall submit the SWRCB Waste Discharger’s Identification Number (WDID) to the City prior to approval of development or grading plans.
* Paleontological Resources and Unique Geological Features :If any subsurface paleontological resources are encountered during construction of the project, the City of Livingston Community Development Department shall be notified and all construction activities in the vicinity of the encounter shall be halted until a qualified paleontologist can examine these materials and determine their significance. If the find is determined to be significant, then the paleontologist shall recommend mitigation measures that would reduce potential effects on the find to a level that is less than significant. Recommended measures may include, but are not limited to, 1) preservation in place, or 2) excavation, recovery, and curation by qualified professionals. The project developer shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the City’s Community Development Department, consistent with the requirements of the CEQA Guidelines.
* Emergency Response and Evacuations: Prior to the start of project construction, the developer shall prepare and implement a Traffic Control Plan, which shall include such items as traffic control requirements, resident notification of access closure, and daily access restoration. The contractor shall specify dates and times of road closures or restrictions, if any, and shall ensure that adequate access will be provided for emergency vehicles. The Traffic Control Plan shall be reviewed and approved by the City Department of Public Works and shall be coordinated with the Livingston Police Department and the Merced County Fire Department if construction will require road closures or lane restrictions.
* Surface Water Quality : 1) The developer shall submit a Storm Water Quality Plan for the project that shall include post-construction Best Management Practices (BMPs) as required by the City’s Storm Water Management Program. The Storm Water Quality Plan shall be reviewed and approved by the City of Livingston Public Works Department prior to approval of project improvement plans.

2)If required, the developer shall execute a Maintenance Agreement with the City for stormwater BMPs prior to receiving a Certificate of Occupancy. The developer shall remain the responsible party and provide funding for the operation, maintenance and replacement costs of the proposed treatment devices built for the project.

(3)HYDRO-3: The developer shall comply with applicable requirements of, and pay all associated fees as required by, the City’s Storm Water Pollution Prevention Program as set forth in its NPDES Storm Water Permit.

* Traffic Hazards: The project applicant shall meet with the City Engineer and City Planner, along with a representative of the Livingston Union School District, to evaluate the need for parking and pedestrian facilities in the vicinity of the project site, such as turn pockets and additional crosswalks. Should it be determined that such additional facilities would be necessary, they shall be made a condition of approval for the project, and the project applicant shall pay fair-share costs for the installation of these facilities. The City shall determine fair-share costs.
* Relocation or Construction of New Facilities : Mitigation Measure CULT-1.
* Emergency Response Plans and Emergency Evacuation Plans: Mitigation Measure HAZ-1.
* Findings on Biological and Cultural Resource : Mitigation measures in Sections 3.4 and 3.5.