

# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

Regular Meeting  
TUESDAY, JANUARY 28, 2014  
Closed Session – 8:30 a.m.  
Regular Meeting – 10:00 a.m.

MERCED COUNTY  
ADMINISTRATION BUILDING  
2222 “M” STREET  
BOARD ROOM, THIRD FLOOR  
MERCED, CALIFORNIA 95340  
(209) 385-7366

JOHN PEDROZO.....DISTRICT 1  
HUBERT “HUB” WALSH, JR.....DISTRICT 2  
LINN DAVIS.....DISTRICT 3  
DEIDRE F. KELSEY.....DISTRICT 4  
CHAIRMAN JERRY O’BANION.....DISTRICT 5

JAMES L. BROWN  
COUNTY EXECUTIVE OFFICER

JAMES N. FINCHER  
COUNTY COUNSEL

*All supporting documentation is available for public review in the Office of the Clerk of the Board of Supervisors located in the County Administration Building, Third Floor, 2222 “M” Street, Merced, California, 95340  
During regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday.*

**The Agenda is available online at [www.co.merced.ca.us](http://www.co.merced.ca.us)**

Any material related to an item on this Agenda submitted to the Clerk after distribution of the Agenda packet is available for public inspection in the Office of the Clerk of the Board

**Members of the public are advised that all pagers, cellular telephones and any other communication devices are to be turned off upon entering the Board Chambers**

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INQUIRE WITHIN THE BOARD OF SUPERVISORS OFFICE

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The Agenda is divided into three sections:

**CONSENT CALENDAR** – These matters include routine financial and administrative action and usually are approved by a single vote.

**SCHEDULED ITEMS** – These items are noticed hearings, work sessions and public hearings.

**REGULAR CALENDAR** – These items include significant policy and administration actions. Immediately after approval of the CONSENT CALENDAR, if the time of the hearing of SCHEDULED ITEMS has not arrived, the REGULAR CALENDAR will be considered.

SCHEDULED ITEMS

8:30 A. M.

**THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA-  
TESTIMONY IS LIMITED TO FIVE MINUTES PER PERSON**

**CLOSED SESSION - CONFERENCE WITH REAL PROPERTY**

**NEGOTIATOR:** It is the intention of the Board to meet in Closed Session concerning a Conference with Real Property Negotiator Mark Hendrickson, Director-Community and Economic Development pursuant to Government Code Section 54956.8 as follows:

**Property:** Castle Property located at Castle Commerce Center Agency

**Negotiator:** Mark Hendrickson, Community and Economic Development Director

**Under Negotiation:** Building 1333 and 1335

**CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING**

**LITIGATION:** It is the intention of the Board to meet in Closed Session concerning Existing Litigation pursuant to Government Code Section 54956.9(d)(1): (1) County of Merced v. John K. Haskett, et al., Merced Court case no. CVM014640; and (2) California Clean Energy Committee v. County of Merced, Real Parties in Interest Bob Borba, aka Bobby Borba, an individual; Bob Borba Dairy, Merced Superior Court Case No. CVM017121

**CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - INITIATION**

**OF LITIGATION:** It is the intention of the Board to meet in Closed Session concerning Initiation of Litigation pursuant to Government Code Section 54956.9(d)(4): One Case

**THE BOARD RECESSED AT 8:30 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED STAFF WAS GIVEN DIRECTION.**

**GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)**

10:00 A. M.

**PLEDGE OF ALLEGIANCE**

**PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION INCLUDING ITEMS ON THE BOARD'S AGENDA, EXCEPT FOR THOSE ITEMS SPECIFICALLY SCHEDULED AS PUBLIC HEARINGS (Testimony limited to five minutes per**

person)

**REVIEW BOARD ORDER – SEE PAGE 7**

**PRESENTATION:** Merced Public/Professionals Unified Life Saving Effort (P.U.L.S.E.) Program

**Steve Melander, Riggs representative, and City Fire Chief Michael McLaughlin provide the Board with a powerpoint to inform them of the P.U.L.S.E. Program.**

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 14)

**COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING - CONTINUED FROM JANUARY 14, 2014**

To consider the Planning Commission's recommended approval of Conditional Use Permit No. CUP10-012 - Vega Solar PV Project.

**Recommendation:** 1) Continue the opened Public Hearing and accept public comments; 2) Close Public Hearing; 3) Certify the revised Final Environmental Impact Report and adopt the CEQA Findings of Fact, including Table A; 4) Approve the Mitigation Monitoring and Reporting Program, approve Conditional Use Permit No. CUP10-012 based on the 10 findings and subject to the 13 conditions of approval and 27 mitigation measures; remove the project site from the Williamson Act Agricultural Preserve; and approve a Solar Benefits Agreement with Vega Solar, LLC.

**REVIEW BOARD ORDER – SEE PAGES 7 THROUGH 12**

**REPORTS/BOARD DIRECTION**

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-14)

**APPROVED AS RECOMMENDED      AYES: ALL**

Public Works

1. Adopt Resolution authorizing the Chairman to execute the easement deeds conveying easements to the Pacific Gas and Electric Company (PG&E) as required for the Atwater-Merced Expressway Project.

**ADOPTED RESOLUTION NO. 2014-02**

2. Approve Budget Transfer in the amount of \$14,000 for the purchase of a new water truck.
3. Set a Public Hearing for February 25, 2014 at 10 a.m. to consider adoption of a Resolution adjusting the public facilities impact fees for the unincorporated area located within the City of Merced Sphere of Influence.

Human Services Agency

4. Approve and authorize Chairman to sign Amendment Contract No. 2013145 with California Department of Aging for Health Insurance Counseling and Advocacy Program (HICAP); adopt Resolution; and approve related Budget Transfer. (4/5 Vote Required)

**ADOPTED RESOLUTION NO. 2014-03**

### Health

5. Approve Budget Transfer in the amount of \$2,783 for out of state travel for two trips; the 13th Annual New Partners for Smart Growth in Denver, Colorado, and the SOPHE conference in Baltimore, Maryland. (4/5 Vote Required)
6. Approve Budget Transfer in the amount of \$47,084 to establish line items needed to meet the scope of work for First 5 Child Signature Program #2. (4/5 Vote Required)
7. Approve Budget Transfer in the amount of \$267,211 to establish line items needed to meet the scope of work for First 5 Child Signature Program #1. (4/5 Vote Required)

### Mental Health

8. Approve and authorize Chairman to sign Amendment Contract No. 2011073 with California Psychiatric Transitions for Mental Health Rehabilitation Center services.

### Ag Commissioner

9. Approve and authorize Chairman to sign Renewal Contract No. 2010002 with California Department of Food and Agriculture (CDFA) for Pest Exclusion County Seed Inspections; and authorize Ag Commissioner to sign California Seed Law MOU and negotiate rate.
10. Approve and authorize Chairman to sign Renewal Contract No. 2008013 with California Department of Food and Agriculture (CDFA) for Light Brown Apple Moth Pest Detection trapping activities; and adopt Resolution.

### **ADOPTED RESOLUTION NO. 2014-04**

### Department of Workforce Investment

11. Accept Modification Ten (10) to Contract No. 2011151 extending the term end date of the dislocated Worker Additional Assistant Grant, providing employment related services to dislocated workers and veterans residing in Merced County.

### Sheriff

12. Approve Budget Transfer in the amount of \$38,000 to purchase mobile radios and surveillance equipment used by the deputies assigned to the High Intensity Drug Trafficking Area (HIDTA) and the Merced/Mariposa Narcotics Task Force (MMNTF). (4/5 Vote Required)

### Board Recognition

13. Authorize Certificate of Recognition to Winton Subway for Grand Opening.
14. Authorize Certificates of Recognition for dedicated service to the Los Banos Golden Agers Club as follows: 2012 Outgoing Officers: Joe Cox, Past President; Kent Sandhagen, President; Geri Alves, Vice President; Willie Walker, Treasurer; Mary Anderson, Secretary; and Directors Carmen Miranda, Ceci Cardoza, Donna Champine, Linda Galindez, and Bernice Schnorf; and Margaret Gomes, Publicity.

REGULAR CALENDAR

BOARD ACTION

HUMAN SERVICES AGENCY

15. Approve release of the Request for Proposal (RFP) for a Frozen Home Delivered Meals Delivery Program; authorize the Area Agency on Aging (AAA) in conjunction with Admin/Support Services to prepare the RFP, solicit and select potential vendors, negotiate the preparation of the necessary agreements, and return to the Board for approval.

**APPROVED AS RECOMMENDED      AYES: ALL**

MENTAL HEALTH

16. Contract with Casa Pacifica Centers for Children and Families for the provision of specialty mental health services to youth clients; and approve related budget transfer.

**AUTHORIZED CONTRACT NO. 2014010 AS RECOMMENDED      AYES: ALL**

HEALTH

17. Authorize Administrative Services/Support Services in conjunction with the Department of Public Health to prepare and release a Request for Proposal for a Communications Plan as defined under the PHEP/HPP/PanFlu Contract #EPO 13-26 administered through the California Department of Public Health, Emergency Preparedness Office; return to the Board for final approval.

**APPROVED AS RECOMMENDED      AYES: ALL**

COMMUNITY AND ECONOMIC DEVELOPMENT

18. Adopt the Castle Airport 5-Year Airport Capital Improvement Plan Annual Update; and authorize Chairman to sign all Airport Capital Improvement Plan documents.

**APPROVED AS RECOMMENDED      AYES: ALL**

AUDITOR

19. Contract with SunGard Public Sector for the County's new Finance/Human Resource/Payroll system.

**AUTHORIZED CONTRACT NO. 2014009 AS RECOMMENDED      AYES: ALL**

DEPARTMENT OF ADMINISTRATIVE SERVICES

20. Authorize Chairman to sign software and service order forms, and scope of services statement with Kronos for integration of the Time and Attendance System into the County's new Finance/Human Resource/Payroll System.

**AUTHORIZED CONTRACT NO. 2014011 AS RECOMMENDED      AYES: ALL**

21. Contract with McClatchy Newspapers, dba The Merced Sun Star to provide newspaper posting services for the County effective February 1, 2014.

**AUTHORIZED CONTRACT NO. 2014012 AS RECOMMENDED      AYES: ALL**

AG COMMISSIONER

22. Contract with California Department of Food and Agriculture for conducting Weighmaster Enforcement Inspections; and adopt Resolution.

**ADOPTED RESOLUTION NO. 2014013 AS RECOMMENDED AYES: ALL**

BOARD APPOINTMENTS

23. May Day Fair Board - Appoint Frank Swiggart to serve on the May Day Fair Board representing District One, filling an unexpired term until July 1, 2016.

**APPROVED AS RECOMMENDED AYES: ALL**

24. Ballico Community Service District - Reappoint Siria Jimenez until December 1, 2017, and Manuel Jimenez until December 7, 2017, as members of the Ballico Community Service District.

**APPROVED AS RECOMMENDED AYES: ALL**

25. Emergency Medical Care Committee - Appoint Michael Harris, representing District One, to serve until June 30, 2015; Reappoint Ken Mitten, representing District Two, to serve until June 30, 2017; and Reappoint DeWayne Jones, representing District Five, to serve until June 30, 2016.

**APPROVED AS RECOMMENDED AYES: ALL**

BOARD OF SUPERVISORS

26. Authorize \$500 of District One's Special Board Project Funds to be forwarded to Sober Grad 2014 at Livingston High School for support of their Sober Graduation program.

**APPROVED AS RECOMMENDED AYES: ALL**

27. Authorize \$500 of District One's Special Board Project Funds to be forwarded to Merced County Office of Education for the Merced County Parent Institute program.

**APPROVED AS RECOMMENDED AYES: ALL**

28. Authorize \$5,000 of District Four's Special Board Project Funds to be forwarded to the Delhi Community Unity to assist with costs of engineered drawings of two monument signs to be erected in the community of Delhi.

**APPROVED AS RECOMMENDED AYES: ALL**

29. Authorize \$6,000 of District Four's Special Board Project Funds to be forwarded to Winton Lifeline Community Center to support community development and working with at-risk youth.

**APPROVED AS RECOMMENDED AYES: ALL**

BOARD INFORMATION & POSSIBLE ACTION

**ACCEPTED AND PLACED ON FILE AYES: ALL**

30. Public Works: Contract No. 2013220 awarded to Graham Prewett, Inc., Fresno, CA for the re-roofing of three County buildings project.

**THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF THOMAS POLOMBO, ROQUE BERLANGA, AURORA GARCIA, AND BRUCE SARGENT AND ADJOURNED THE MEETING UNTIL TUESDAY, FEBRUARY 4, 2014, AT 10:00 A.M.**

## BOARD ORDERS – SUMMARY ACTION MINUTES – JANUARY 28, 2014

### **10:00 A.M. SCHEDULED ITEM** **2014-01-28 PUBLIC OPPORTUNITY**

Allen Spencer, Merced resident, addresses the Board regarding Sheriff vehicles parked in a no parking zone. James Hodges, Merced resident, addresses the Board regarding panhandlers, global warming, and bad air quality. Carrie Young, Merced resident, speaks in favor of a pay raise for In-Home Supportive Services (IHSS) Providers. District Attorney Larry Morse speaks regarding gang violence and the need for resources for gang suppression.

Present: O'Banion, Pedrozo, Walsh, Davis, Kelsey

### **10:00 A.M. SCHEDULED ITEM** **2014-01-28 COMMUNITY AND ECONOMIC DEVELOPMENT – PUBLIC HEARING**

The time and date previously set for a public hearing to consider the Planning Commission's recommended approval of Conditional Use Permit No. CUP10-012 – Vega Solar PV Project and a Solar Benefits Agreement with Vega Solar, LLC is before the Board for consideration.

Community and Economic Development Director Mark Hendrickson provides staff report and powerpoint covering the following: Proposal; Decommissioning; Aerial Map; Site Plan; Photo-Corner of Woo & El Campo Roads Looking East; Photo-Corner of Woo & El Campo Roads Looking North; Photo-Corner of Woo & El Campo Roads Looking West; General Plan Consistency; Zoning Map; Zoning Code Consistency; Williamson Act Consistency; Environmental Review; Mitigation Measures; Planning Commission Public Hearing Testimony Received November 20, 2013; Planning Commission Public Hearing November 20, 2013; Revised CEQA Documents; Revised Site Plan; Solar Benefits Agreement; and Recommendations.

Russell Baroofy, applicant and Solar Developer with SunEdison thanks the Board for the opportunity to present the project. He states that Sun Edison is one of the largest global installers of photovoltaic panels and projects, and they have projects all over the world. Mr. Baroofy states that they plan to recruit, train, and hire through local labor union partners to construct the project, and they are thrilled to be bringing this type of economic benefit to the County.

The Clerk announces a Supplemental was received in the form of a powerpoint titled Intelligent Energy Solutions from a Global Leader, and there are copies available for the public.

The Chairman opens the public hearing and asks if there is anyone present wishing to speak on the matter.

Billy Powell, Business Manager IBW684-Modesto, speaks in favor of the project.

The Chairman closes the public hearing.

Upon motion of Supervisor Kelsey, seconded by Supervisor Davis, duly carried, the Board certifies the Final Environmental Impact Report and adopts the CEQA Findings of Fact, including Table A, based on the findings listed below and approves the Mitigation Monitoring and Report Program; upon motion of Supervisor Kelsey, seconded by Supervisor Pedrozo, duly carried, the

Board approves Conditional Use Permit No. CUP10-012 based on the 10 findings and subject to the 13 conditions of approval and 27 mitigation measures listed below; and removes the project site from the Williamson Act Agricultural Preserve; and upon Motion of Supervisor Kelsey, seconded by Supervisor Pedrozo, duly carried, the Board approves the Solar Benefits Agreement No. 2014014 with Vega Solar, LLC.

### **CEQA Findings**

1. A list of findings pertaining to the preparation of the Environmental Impact Report (EIR) and the disposition of individual impacts are contained in the Findings of Fact attached to the staff report.
2. With implementation of the Mitigation Measures and Conditions of Approval, the project will not be a nuisance, or detrimental to the public health, safety, or general welfare and will be compatible with surrounding uses.
3. The Board finds that:
  - a) The Final EIR has been completed in compliance with CEQA.
  - b) The Final EIR was presented to the Board of Supervisors of the lead agency, and that the Board has reviewed and considered the information contained in the final EIR prior to approving the project.
  - c) The Final EIR reflects the lead agency's independent judgment and analysis.

### **B. Project Determination**

Board of Supervisors take the following three actions:

- a. Approve the Mitigation Monitoring and Reporting Program;
- b. Approve of Conditional Use Permit No. CUP10-012, based on the 10 Project Findings and subject to the recommended 13 Conditions of Approval, including the 27 CEQA Mitigation Measures; and
- c. Remove the project site from the Williamson Act Agricultural Preserve.

### **Project Findings**

1. The applicant proposes to construct a 20 megawatt solar photovoltaic electrical generating facility on 178.3 acres of agricultural land. The project would consist of crystalline silicon solar panels mounted on single-axis trackers. The silicon solar cells are covered by anti-reflective glass.
2. The project site is located on the north and south sides of El Campo Road, and on the east and west sides of Woo Road in the Los Banos area.
3. The project is consistent with the Agricultural land use designation as contained in the 2030 Merced County General Plan specifically; the Land Use Element, the Transportation and Circulation Element, the Natural Resources Element, the Air Quality Element, the Water Element, and the Agricultural Element.
4. Removal of lands from the Merced County Agricultural Preserve due to the solar energy generation facility will not compromise the long-term agricultural capability of adjacent agricultural lands.



5. With implementation of the Mitigation Measures and Conditions of Approval, the project will not impact County roads or facilities.
6. The project as conditioned is compatible with adjacent uses, properties and neighborhoods.
7. The public hearing has been adequately noticed and advertised.
8. The project is subject to all applicable local, State and Federal regulations.
9. The application was referred to County Departments (Public Works/Roads Division, Public Works/Building and Safety Division, Environmental Health Division, and the Fire Department).
10. The application was referred to Federal, State, and local agencies, and various interest groups.

**C. Conditions of Approval**

Community and Economic Development Department Conditions:

1. Conditional Use Permit No. CUP10-012 is granted for the construction of a 20 megawatt solar photovoltaic electrical generating facility on three parcels totaling 178.3 acres. The project would involve the installation of a solar PV array system (solar PV modules, supports, inverters, foundation, and a direct buried cabling system) and various support buildings.
2. The solar photovoltaic electrical generating facility shall be located, developed and operated in a manner described on the approved plot plan, mitigation measures, mitigation monitoring and reporting program, and conditions of this permit. Any changes or proposed modifications to the approved project would be based on a written request of the applicant to the Community and Economic Development Department Director.
3. All mitigation measures identified in the Environmental Impact Report are adopted and incorporated by reference as project conditions.
4. The project shall comply with all applicable regulations administered by the County Fire Department, Environmental Health Division, Community and Economic Development Department, and Public Works Department.
5. For the purpose of conditions monitoring, an inspection fee in the amount of **\$972** shall be required. This fee shall be paid within 30 days of the approval date. Should additional inspections be required, inspection time shall be billed to the applicant / property owner at the established hourly rate at the time of the inspection. This permit will not be considered valid until the conditions monitoring fee has been paid.
6. The applicant shall obtain all necessary permits, and comply with all applicable regulations administered by Federal and State agencies.

County Counsel

**7. INDEMNITY AND HOLD HARMLESS AGREEMENT:**

AKT Santa Nella Solar Investors I, LLC has the contracted duty (hereinafter "the duty") to indemnify, defend and hold harmless, County, its Board of Supervisors, commissions, officers, employees, agents and assigns (hereinafter "COUNTY") from and against any and

all claims, petitions, demands, liability, judgments, awards, interest, attorney's fees, expert witness and consultant fees and other costs and expenses of whatsoever kind or nature, at any time arising out of or in any way connected with the performance of this Agreement, whether in tort, contract, writ of mandamus, or otherwise. This duty shall include, but not be limited to, claims, petitions, or the like for bodily injury, property damage, personal injury, contractual damages, writ of mandamus, or otherwise alleged to be caused to any person or entity including, but not limited to employees, agents, commissions, boards, and officers of AKT Santa Nella Solar Investors I, LLC.

AKT Santa Nella Solar Investors I, LLC liability for indemnity under this Agreement shall apply, regardless of fault, to any acts or omissions, willful misconduct, or negligent conduct of any kind, on the part of AKT Santa Nella Solar Investors I, LLC their employees, subcontractors, agents, and officers. The duty shall extend to any allegation or claim of liability, or petition, except in circumstances found by a jury or judge to be the sole and legal result of the willful misconduct of COUNTY. This duty shall arise at the first notice of filing a lawsuit, claim, petition, or allegation of liability against COUNTY. AKT Santa Nella Solar Investors I, LLC will on request and at its expense, defend any action suit or proceeding arising hereunder. This clause and shall not be limited to any claim, petition, demand, liability, judgment, award, interest, attorney's fees, expert or consultant witness fees, legal research fees, staff and administrative costs, administrative record costs, materials, and costs and expenses of whatsoever kind or nature, that may arise during the term of this Agreement, but shall also apply to all such claims and the like, after the term of this contract, including but not limited to actions arising from public interest, land use and environmental legal actions, brought against the COUNTY following Conditional Use Permit No. CUP10-012 approval, modification, denial, or the exercise or exhaustion of administrative appeals. Attorney's fees shall include any and all attorneys fees but not be limited to attorneys fees and staff time incurred by the offices of COUNTY counsel. COUNTY shall have full discretion to select legal counsel of its own choosing to represent COUNTY, at a cost not exceeding the prevailing and reasonable rates for counsel practicing environmental and land use law in the State of California, or practicing any other area of law that the COUNTY determines the Claim may reasonably require.

This clause for indemnification shall be interpreted to the broadest extent permitted by law.

#### Public Works/Roads Division

8. The applicant shall enter into a Road Maintenance Agreement with the Department of Public Works, which stipulates that after completion of project construction activities all County roadways that were used in the transport of import material to the project site shall be restored to a like or better condition.
9. The applicant shall construct a rural agricultural driveway approach at each proposed access onto Woo and El Campo Roads in accordance with Chapter 7, Driveways, of the Merced County DPW Improvement Standards & Specifications. Said construction shall require an encroachment permit from DPW.
10. No transmission poles shall be located within the County road right-of-ways.

#### Division of Environmental Health

11. Any hazardous material stored on-site over threshold quantities (55 gallons, 200 cu. ft., or 500 pounds) shall require a hazardous materials business plan (HMBP) with the Division of Environmental Health.

12. As part of the building permit process a plot plan drawn to scale shall be submitted showing proposed well and septic disposal system locations. The plan shall include a 300% leach line replacement area and at least one soils report and percolation test performed in the sewage disposal system location. The septic tank and leach line area, including the replacement area shall be unpaved and protected from compaction. Portable toilets shall be provided during construction activities. Construction personnel shall be prohibited from using the O & M building restrooms.
13. Water wells shall be installed in accordance with the Merced County Well Ordinance.

#### Mitigation Measures

##### Aesthetic Resources

- AES-3: Submittal of a lighting plan, MMRP, page 1.

##### Agricultural Resources

- AG-1a: Provision of a permanent agricultural conservation easement or payment into a land trust mitigation bank, MMRP, pages 1-2 .
- AG-1b: Implementation of a Soils Reclamation Plan after project operations, MMRP, page 2.

##### Biological Resources

- BIO-1a: Protection Measures for San Joaquin Kit Fox, MMRP, pages 3-5.
- BIO-1b: Pre-Construction Surveys for nesting Swainson's hawks, MMRP, page 5.
- BIO-1c: Pre-Construction Survey for burrowing owls, MMRP, page 6.
- BIO-1d: Consultation With CDFW for the presence of burrowing owl on-site, MMRP, page 6.
- BIO-1e: Avoidance of burrowing owls, MMRP, pages 6-7.
- BIO-1f: Removal of Vegetation Prior to the Nesting Season, MMRP, page 7.
- BIO-1g: Pre-construction surveys for nesting migratory birds, MMRP, page 7.
- BIO-1h: Compensation for Loss of Swainson's hawks foraging habitat, MMRP, pages 7-8.
- BIO-1i: Raptor protection on power lines to minimize electrocution, MMRP, page 9.

##### Cultural Resources

- CUL-1: Discovery of archaeological resources during construction activities, MMRP, pages 9-10.
- CUL-2: Discovery of cultural resources during construction activities, MMRP, page 10.
- CUL-3: Discovery of fossils or fossil formations during construction activities, MMRP, page 11.
- CUL-4: Discovery of human remains during construction activities, MMRP, page 11.

##### Geological Resources

- GEO-1: Submittal of a design-level geotechnical report, MMRP, pages 11-12.

##### Hydrology and Water Quality

- HYD-1a: Preparation and Implementation of a Stormwater Pollution Prevention Plan, MMRP, pages 12.
- HYD-1b: Use of Best Management Practices to control erosion, MMRP, page 13.
- HYD-1c: Preparation of a Soils Reclamation Plan, MMRP, pages 13-14.

##### Noise

- NOI-1a: Limit of hours of construction, MMRP, page 14.
- NOI-1b: Maintenance of construction equipment, MMRP, page 14.

- NOI-1c: Limit idling of construction equipment, MMRP, page 14.
- NOI-1d: Locating stationary construction equipment away from residences, MMRP, page 14.
- NOI-1e: Use of sound shields for pile installation, MMRP, page 15.

Transportation

- TRANS-1a: Preparation of a traffic management plan, MMRP, pages 15-16.
- TRANS-1b: Driveway approach location and paving and Roadway Impact Agreement, MMRP, page 16.

Ayes: O'Banion, Pedrozo, Walsh, Davis, Kelsey