

1. Maintaining a 500 foot buffer around each active raptor nest; no construction activities shall be permitted within this buffer except as described in Mitigation Measure 5.5-4II.
2. Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined on an individual basis), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager. The construction manager shall stop construction activities within the buffer until the nest is no longer active.

### **State and Local Special-Status Species:**

**Measure 5.5-5.** The applicant shall conduct a survey for bat roosts within suitable habitat on the project site. The survey shall be conducted by a qualified biologist. This survey shall include, at a minimum, a visual inspection of potential bat roosting sites, and may include an evening or night survey to observe emergence and/or to detect presence using sonic detectors (to detect bat vocalizations). If occupied bat roosts are detected, the applicant shall consult with a qualified biologist to develop measures that avoid impacting roosts. Measures may include, but are not limited to:

1. Maintaining a 100-foot buffer around each roost; no construction activities shall be permitted within this buffer except as described in Mitigation Measure 5.5-5II.
2. Exclusion of bats from roosts (ensuring that no bats are trapped in the roost). For maternity roosts, this measure may only be implemented once young have been reared and are able to freely leave the roost (typically before March and after August).

## **5.6 Cultural and Paleontological Resources**

The following mitigation measures are recommended for Alternatives A, B, C, D, and E.

### **Archaeological and Historical Resources:**

**Measure 5.6-1:** Due to the sensitivity of the general vicinity, appropriate recommendations consist of monitoring by a qualified archaeologist and Native American representative during ground-disturbing activities that occur within 150 feet of perennial water courses including Porterfield Creek at the north and central portions of the project area and the unnamed creek at the south of the project area. An archaeological monitoring program should be established that includes consultation between the consulting archaeologist, lead agency, and the project proponent. The program should clearly define the authority to temporarily halt/redirect construction should resources be encountered.

**Measure 5.6-2:** If previously unidentified cultural materials are unearthed during construction, work should be halted in that area until a qualified archaeologist can assess the significance of the find. Prehistoric materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (“midden”) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include stone, concrete,

or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If any find is determined to be significant, the project proponent and a qualified archaeologist will meet to determine the appropriate avoidance measures or other appropriate mitigation.

### **Human Remains**

In the unlikely event that human remains were discovered during subsurface activities, including those interred outside of formal cemeteries, the human remains could be inadvertently damaged, which could be a significant impact. However, this impact would be minimized by implementation of Mitigation Measure 3, in conjunction with Mitigation Measures 1 and 2.

**Measure 5.6-3:** The possibility of encountering human remains cannot be entirely discounted. Section 7050.5 of the California Health and Safety Code states that it is a misdemeanor to knowingly disturb a human grave. If human graves are encountered, work should halt in the vicinity and the County Coroner should be notified. At the same time, an archaeologist should be contacted to evaluate the situation. If the remains are determined to be of Native American descent, the Native American Heritage Commission (NAHC) shall be contacted within a reasonable timeframe. The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD) of the deceased Native American. The MLD shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in PRC§ 5097.98.

## **5.7 Socioeconomic Conditions**

The following Mitigations are recommended for Alternatives A, B, C and D:

### **Problem Gambling**

#### **Mitigation Measure 5.7-1:**

- The Tribe will adopt a policy statement on problem gambling.
- The Tribe will contract with a gambling treatment professional to train management and staff to develop strategies for recognizing and addressing customers whose gambling behavior may strongly suggest they may be experiencing serious to severe difficulties.
- The Tribe shall refuse service to any customer whose gambling behavior convincingly exhibits indications of problem or pathological gambling.
- The Tribe shall respectively and confidentially provide the customer (as described above) with written information that includes a list of professional gambling treatment programs and self-help groups.
- The Tribe shall prominently display materials describing the risks and signs of problem and pathological gambling behaviors. Materials shall also be prominently displayed that provide information on available programs for those seeking treatment for problem and pathological gambling disorders.