

Attachment IV
Mitigation Monitoring
and Enforcement Plan

CLOVERDALE RANCHERIA TRUST ACQUISITION AND RESORT CASINO PROJECT

MITIGATION MONITORING AND ENFORCEMENT PLAN

Mitigation Monitoring Overview

This Mitigation Monitoring and Enforcement Plan (MMEP) has been developed to guide mitigation compliance. The mitigation measures described below in Table 1 are included within the Record of Decision (ROD) and were developed through the analysis of potential impacts from the development alternatives within the Final Environmental Impact Statement (FEIS). Mitigation measures are applicable to all alternatives considered in the FEIS and ROD unless otherwise noted.

The Bureau of Indian Affairs (BIA) will be responsible for monitoring all measures listed in Table 1. As specified in Table 1, the compliance monitoring and evaluation will also be performed by the Tribe, , Federal Aviation Administration (FAA), Federal Emergency Management Agency (FEMA), U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, California Department of Transportation (Caltrans) District 4, Northern Sonoma County Air Pollution Control District (NSCAPCD), Sonoma County, City of Cloverdale, Cloverdale Fire Protection District, and Cloverdale Healthcare District as indicated in the description of each measure. The MMEP is included to provide:

- Requirements for compliance of the mitigation measures specifically created to mitigate impacts;
- List of responsible parties;
- Timing of mitigation measure implementation.

Where applicable, mitigation measures will be monitored and enforced pursuant to Federal law, tribal ordinances, and agreements between the Tribe and appropriate governmental authorities, as well as the ROD.

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
Land Resources			
1. A design-level geotechnical report shall be prepared along with construction drawings and the Tribe shall adhere to the recommendations of the report.	Tribe	Planning Phase, Construction Phase	
Water Resources			
1. Prior to implementation of the selected alternative, the project proponent shall complete a comprehensive design-level Drainage Plan. This plan shall address drainage and flooding in the action area. The Drainage Plan will implement additional measures, including but not limited to additional pervious surfaces, stormwater retention ponds, additional underground stormwater retention capacity, and other measures to retain or infiltrate stormwater flows, such that no net increase in 100-year peak stormwater discharge occurs as a result of implementing the selected alternative.	Tribe	Planning Phase, Construction Phase	
2. The project proponent will ensure that the proposed groundwater well is installed above the FEMA-defined 100-year flood height, plus an additional 1-foot allowance to account for potential increases in flood height that would result from installation of levees surrounding the wastewater treatment plant, water treatment plant, and wastewater storage pond, as relevant. Specifically, the pump house including all electric and mechanical components, shall be installed at a level equivalent to at least 3 feet above the FEMA-delineated 100-year flood height, plus an additional 1 foot to offset flood height increases from installing flood control levees, as relevant.	Tribe	Planning Phase, Construction Phase	
3. In accordance with FEMA floodplain hydraulic modeling requirements, the Tribe shall develop a hydraulic model to quantify the impact of wastewater facilities and other related systems proposed for construction within the 100-year floodplain, and 500-year floodplain if required by FEMA, of the Russian River. Depending on the results of the hydraulic model (e.g., modeling indicates that flood height increases would exceed 1 foot), the Tribe shall complete a Conditional Letter of Map Revision (CLOMR) prior to implementation of a project and must submit a Letter of Map Revision (LOMR) request to FEMA within 6 months of completion of a project.	Tribe, FEMA	Planning Phase, Construction Phase, Operation Phase	
4. Under government to government consultation with FEMA, the Tribe shall seek participation in the National Flood Insurance Program (NFIP), which requires the Tribe to pass a resolution, adopt the effective Flood Insurance Rate Map maintained by FEMA, and adopt and enforce a flood damage prevention ordinance that meets or exceeds the minimum requirements of the floodplain regulation criteria of the program. If floodplain development occurs which modifies the existing physical features of a floodplain, the Tribe shall submit an application to FEMA for participation in the NFIP and comply with the minimum requirements of the NFIP prior to construction activities within the floodplain.	Tribe, FEMA	Planning Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
<p>5. The Tribe shall establish a Tribal Mitigation Plan in accordance with 44 CFR 201.7, which addresses flood hazards and mitigation of those hazards. The plan shall include mitigation goals and strategies and other NFIP or floodplain management activities as described in the latest version of FEMA's Tribal Multi-Hazard Mitigation Guidance.</p>	Tribe	Planning Phase, Construction Phase	
<p>6. The applicant shall take the following measures to ensure no significant reduction in the quality of surface water or groundwater used for potable water supply under the selected alternative:</p> <ol style="list-style-type: none"> 1. Sprayfield operation shall be managed such that no runoff or other surface discharge of treated effluent occurs from the sprayfield site. Sprayfields shall be monitored on a daily basis for signs of treated effluent pooling or potential runoff. In the event that substantial pooling, runoff, or potential signs of runoff are found, sprayfield discharge rate or management shall be modified to ensure that no runoff occurs. All drainages shall be protected from receiving sprayfield runoff by berms, ditches, or other measures. In no instance shall sprayfields be operated during natural precipitation events, or when standing water is located on-site. This measure will thereby prevent the migration of treated effluent into surface waters, ensuring that comingling of treated effluent with surface waters does not occur. 2. If the private water supply option is selected, groundwater quality shall be monitored for nutrients and pathogens. The applicant shall install at least three groundwater quality monitoring wells in the vicinity of the proposed water supply well, and shall sample each well at least monthly. Monitoring wells shall be screened at or above the level of the water supply well. In the event that pollutants associated with the sprayfield are detected in the groundwater in the vicinity of the water supply well, measures shall be taken to alter the pattern or intensity of wastewater/sprayfield disposal, to ensure that the water supply well does not become contaminated. In the event that the water supply well becomes contaminated with nutrients or pathogens associated with the proposed sprayfield, additional water treatment shall be installed, or a new well shall be installed, in order to ensure that drinking water quality meets federal requirements. 	Tribe	Construction Phase, Operation Phase	
<p>7. If the private wastewater option is chosen, the following measures would be implemented by the Tribe:</p> <ol style="list-style-type: none"> 1. The pond liner will be visually inspected once a year during the summer months. 2. Pond levels will be monitored and recorded at least once a month and reviewed for consistency with inputs (treated effluent and rain) and outputs (sprayfield irrigation, evaporation). 	Tribe	Operation Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
Air Quality			
<p>1. The applicant shall require construction contractors to implement an appropriate dust abatement program at least as stringent as the recommendations of the most recent version of the Northern Sonoma County Air Pollution Control District (NSCAPCD) Rule 430, Fugitive Dust Emissions. These would include, but not be limited to, the following measures:</p> <ol style="list-style-type: none"> 1. Covering open bodied trucks when used for transporting materials likely to give rise to airborne dust. 2. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Containment methods can be employed during sandblasting and other similar operations. 3. Conduct agricultural practices in such a manner as to minimize the creation of airborne dust. 4. The use of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land. 5. The application of asphalt, oil, water or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts. 6. The paving of roadways and their maintenance in a clean condition. 7. The prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means. 	Tribe, NSCAPCD	Construction Phase	
<p>2. All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.</p>	Tribe	Construction Phase	
<p>3. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn their engines off when not in use to reduce vehicle emissions.</p>	Tribe	Construction Phase	
<p>4. Electricity from power poles rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible.</p>	Tribe	Construction Phase, Operation Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
<p>5. Implement the Transportation and Motor Vehicle Measures below:</p> <ol style="list-style-type: none"> 1. Incorporate public transit into project design 2. Limit idling time for commercial vehicles, including delivery and construction vehicles. 3. Use low or zero-emission vehicles where feasible, including construction vehicles and Tribal-fleet vehicles. 4. Promote ride sharing programs e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides. 5. Create car sharing programs. Accommodations for such programs include providing parking spaces for the car share vehicles at convenient locations accessible by public transportation. 6. If feasible, increase the cost of driving and parking private vehicles by, e.g., imposing tolls and parking fees. 7. Provide shuttle service to public transit. 8. Provide public transit incentives, such as free or low-cost monthly transit passes. 9. Implement parking cash-out program for employees, e.g., non driving employees receive transportation allowance equivalent to value of subsidized parking. 	Tribe	Construction Phase, Operation Phase	
<p>6. The applicant shall require busses and diesel loading trucks to comply with the California Air Resource Board's Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (California Code of Regulations, Title 13, Division 3, Article 1, Chapter 10, Section 2458) which requires that the driver shall not idle for more than 5 minutes at any location, except in the case of passenger boarding where a ten minute limit is imposed, or when passengers are onboard.</p>	Tribe	Operation Phase	
<p>7. The operator of the WWTP shall formulate a progressive Odor Management Plan. This plan will allow the operator to respond to odor complaints and revise operations as necessary. The operator shall coordinate with the NSCAPCD to ensure that the operator is notified of all odor complaints received regarding the facility. The Plan shall discuss this complaint response protocol and include progressive measures to be made in the event of repeated, verified complaints. When the operator or NSCAPCD staff verify strong odors at off-site receptors, the operator shall make changes in site operations to reduce the potential for odors. Odors may be reduced by installing additional odor control equipment, making process/treatment modifications, or other activities. Once complete, the Plan shall be submitted to the NSCAPCD for a 30-day period for review and comment.</p>	Tribe, NSCAPCD	Planning Phase, Construction Phase, Operation Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
<p>8. Implement the Energy Efficient Measures below:</p> <ol style="list-style-type: none"> 1. Install efficient lighting and lighting control systems. Site and design building to take advantage of daylight. 2. Install energy efficient heating and cooling systems, appliances and equipment, and control systems. 3. Use solar heating, automatic covers, and efficient pumps and motors for pools and spas. 4. Bus Shelter for Existing/Planned Transit Service 5. Parking Area Tree Cover (50% cover in 10 years) 6. Enhanced Recycling 7. Drought tolerant landscaping and shade trees 8. If financially feasible the Tribe could commit to construction of a facility that operates at a minimum level which is similar to the California Title 24 standards. 	Tribe	Construction Phase, Operation Phase	
<p>9. The following measures are recommended for all alternatives.</p> <ol style="list-style-type: none"> 1. The Tribe shall ensure that ventilation of outdoor air is consistent with ASHRAE Standard 62-19991 under all operating conditions. 2. To limit public exposure to environmental tobacco smoke, the Tribe shall provide non-smoking areas, or "smoke-free zones" in the casino gaming area. 3. The Tribe shall provide non-smoking rooms in the hotel. 4. The Tribe shall post signage in prominent locations alerting patrons and employees of areas that permit smoking, noting that environmental tobacco smoke has been found to be deleterious to health. Signage for employees shall include the employee break room. 5. Prior to hiring, prospective employees shall be informed that indoor smoking is permitted in portions of the buildings where they may be employed. 6. Prospective employees shall be given a brochure(s) describing the health effects of exposure to environmental tobacco smoke. 	Tribe	Construction Phase, Operation Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
<p>10. The Tribe shall compensate for indirect greenhouse gas (GHG) emissions which exceed 25,000 metric tons CO₂e annually through the purchase of GHG credits offered at an approved GHG credit broker. The alternatives exceed 25,000 metric tons CO₂e by the following amounts:</p> <ul style="list-style-type: none"> • Alternative A – 27,211 CO₂e • Alternative B – 11,748 CO₂e • Alternative C – 8,928 CO₂e • Alternative D – 1,430 CO₂e • Alternative E – 18,758 CO₂e <p>Credits shall be purchased once operations begin, and purchases may be phased over the first 10 years of operation.</p>	Tribe	Operation Phase	
Biological Resources			
<p>1. The project applicant shall compensate for the loss of coast live oak woodland and north coast riparian scrub habitat at a ratio no less than 1:1. Compensation will include on-site creation, restoration, or enhancement along the southern portion of the project area north of and parallel with Coyote Creek (channel I-2). On-site creation/restoration plans must be prepared by a qualified biologist prior to construction and be implemented within one year following construction. On-site creation/restoration sites shall be monitored for at least five (5) years to ensure their success.</p>	Tribe	Planning Phase, Construction Phase, Operation Phase	
<p>2. Landscaped areas associated with project layout design shall be planted with native trees, shrubs, and ground covers. Landscaped areas shall avoid direct impacts to jurisdictional waters of the U.S.</p>	Tribe	Construction Phase	
<p>3. No construction activities shall occur within the drip line of native trees that have been designated as avoided/protected from the project. If proposed construction activities are proposed within 50 feet of a protected tree, the project applicant shall clearly delineate the tree with appropriate fencing at the drip line.</p>	Tribe	Construction Phase	
<p>4. The project applicant shall ensure that any loss of waters of the U.S. shall be compensated for by the preservation or creation of similar habitat at a ratio no less than 1:1, prior to construction. Permits secured for the project (Section 404 and Section 401) may require higher ratios. Compensation may include on-site creation, restoration, or enhancement, off-site creation, or payment into a Corps-approved mitigation bank for in-kind habitat credits. Mitigation bank credits must be obtained prior to construction. On-site or off-site creation/restoration plans must be prepared by a qualified biologist prior to construction and approved by the Corps. On- or off-site creation/restoration sites shall be monitored for at least five (5) years to ensure their success.</p>	Tribe, U.S. Army Corps of Engineers	Planning Phase, Construction Phase, Operation Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
<p>5. The project applicant shall incorporate into the project site drainage plan the flow and treatment BMPs and the accompanying recommended design parameters (i.e. locations, sizing factors, soil specifications and plant selection) proposed in the preliminary Stormwater Quality Management Plan (Appendix Q of the FEIS).</p>	Tribe	Planning Phase, Construction Phase	
<p>6. Impacts to aquatic habitat for federally listed salmonids during construction shall be minimized by implementing Best Management Practices (BMP) to protect water quality. This may include installing temporary siltation barriers (such as silt fencing), straw wattles, covering exposed soils, protecting inlet structures with sand bags, and reseeded exposed soils immediately following construction. These BMPs shall be fully described within the project's Storm Water Pollution Protection Plan (SWPPP), which shall be prepared prior to construction and implemented by the project applicant during construction. The project applicant shall also adhere to the measures provided under the EPA's NPDES General Construction Permit. Equipment and soil stock areas shall be placed at least 50 feet away from aquatic water sources.</p>	Tribe, U.S. Environmental Protection Agency	Planning Phase, Construction Phase, Operation Phase	
<p>7. The applicant shall make every effort to conduct any tree and shrub removal activities that are required for project construction outside of the migratory bird and raptor breeding season (March 1 through August 31). For construction activities that will occur between March 1 and August 31 of any given year, the applicant shall conduct preconstruction surveys in suitable nesting habitat within 500 feet of the project site for nesting raptors. Surveys shall be conducted by a qualified biologist. If nesting raptors are detected, the applicant will consult with a qualified biologist to develop suitable measures to avoid impacting breeding effort. Measures may include, but are not limited to:</p> <ol style="list-style-type: none"> 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 G-2, below. 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. 	Tribe	Planning Phase, Construction Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
<p>8. 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:</p> <ol style="list-style-type: none"> 1. Maintaining a 100-foot buffer around each roost; no construction activities shall be permitted within this buffer except as described in Mitigation Measure H-2, below. 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). 	Tribe	Planning Phase, Construction Phase	
<p>9. Prior to construction or grading activities, a survey for the western pond turtle shall be performed by a qualified biologist within 48 hours of construction. Surveys shall focus on potential upland basking sites. Any pond turtles found during surveys shall be relocated by a qualified biologist to suitable aquatic habitat not proposed to be impacted within the study area. Upon clearance of the site of pond turtles, appropriate exclusionary fencing (associated with project site BMPs) shall be erected to prohibit potential turtle upland migration through, or basking within, the active construction site.</p>	Tribe	Planning Phase, Construction Phase	
Cultural and Paleontological Resources			
<p>1. Due to the sensitivity of the general vicinity, appropriate recommendations consist of monitoring by a qualified archaeologist (familiar with Pomo prehistory and history) and Cloverdale Rancheria Tribal 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/Cloverdale Rancheria Tribal monitoring program should be established that includes consultation between the consulting archaeologist, lead agency, and the project proponent. The program should formalize procedures for monitoring activities and clearly define the authority to temporarily halt/redirect ground-disturbing activities should resources be encountered.</p>	Tribe	Planning Phase, Construction Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
<p>2. If previously unidentified cultural materials are unearthed during construction, work should be halted within 35 feet of the find until a qualified archaeologist (familiar with Pomo prehistory and history) and a Cloverdale Rancheria Tribal representative 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. The BIA regional archaeologist shall be notified in the event of an unanticipated discovery. Procedures for post review discoveries without prior planning pursuant to 36 CFR 800.13 shall be followed. If any find is determined to be significant, the project proponent and a qualified archaeologist will meet to determine the appropriate course of action.</p>	Tribe	Construction Phase	
<p>3. If human remains are encountered during ground-disturbing activities, pursuant to the Native American Graves Protection and Repatriation Act, Section 10.4 Inadvertent Discoveries, work should halt in the vicinity and the County Coroner, Cloverdale Rancheria Tribal official, and BIA regional archaeologist shall be notified immediately. At the same time, a qualified archaeologist and a Cloverdale Rancheria Tribal representative should be contacted to assess the find. No further disturbance shall occur until the County Coroner, the Cloverdale Rancheria Tribal official, and the BIA have made the necessary findings as to the origin and disposition. If the human remains are determined to be of Native American origin, it is the Tribe’s preference for interment. If interment is not feasible the Tribe shall have the final authority as to disposition of the Native American human remains unless otherwise required by law.</p>	Tribe, Sonoma County	Construction Phase	
Socioeconomic Conditions			
<p>1. The Tribe will adopt a policy statement on problem gambling.</p>	Tribe	Planning Phase , Operation Phase	
<p>2. 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.</p>	Tribe	Planning Phase , Operation Phase	
<p>3. The Tribe shall refuse service to any customer whose gambling behavior convincingly exhibits indications of problem or pathological gambling.</p>	Tribe	Operation Phase	
<p>4. The Tribe shall respectfully and confidentially provide the customer (as described above) with written information that includes a list of professional gambling treatment programs and self-help groups.</p>	Tribe	Operation Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
5. 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.	Tribe	Operation Phase	
6. The Tribe shall implement procedures to allow for voluntary self-exclusion, enabling gamblers to ban themselves from a gambling establishment for a specific period of time.	Tribe	Operation Phase	
7. The Tribe will enter into an agreement with Sonoma County for an annual contribution from the Tribe to local organizations that address problem gamblers in Sonoma County. Based on the previous calculation of the expected increase in problem gamblers in Sonoma County and trends in treatment of problem gamblers, the Tribe would compensate the county social services for a minimum of equivalent to 1.4 licensed counselor positions. If the County does not have a mechanism to provide these services then the Tribe shall contribute an equivalent amount to problem gambling treatment and prevention programs which serve Sonoma County.	Tribe, Sonoma County	Planning Phase , Operation Phase	
8. The Tribe shall create an employee Commuter Program that will provide a shuttle service for employee commuters from the Santa Rosa/Rohnert Park area. In addition, incentives (such as partial or full reimbursement) would be provided for commuting employees.	Tribe	Planning Phase, Operation Phase	
Transportation			
The Tribe shall pay a full share or fair share for implementation of the following improvements. In cases where improvements would require an environmental study and design, the full share or fair share contribution shall also apply to the environmental study. A summary table of mitigation measures is provided as Table 2 of the MMEP. The table summarizes the mitigation measures required for each alternative and the residual significance after mitigation which are discussed in detail below.			
1. (Alternatives A and B for near term and cumulative, Alternative C for cumulative scenario only). The project sponsor would pay 100% of the costs to install traffic signals at one central main entrance to the project site on Asti Road, and to construct a northbound right-turn lane and southbound left-turn lane on Asti Road at the site entrance. Supplementary driveways to the north and south of this signalized access would be configured to limit access to right-turn in/right-turn out only. The Tribe shall enter into an agreement with the County regarding maintenance of the traffic signal.	Tribe, Sonoma County	Planning Phase, Construction Phase, Operation Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
<p>Mitigation Measures B and C shall both be implemented <u>OR</u> Mitigation Measure D shall be implemented.</p> <p>2. (All Alternatives for near term and cumulative). The project sponsor would pay their fair share contribution towards the installation of traffic signals at the intersection of U.S. 101 Northbound Ramps / South Interchange.</p>	Tribe, Caltrans District 4, City of Cloverdale	Planning Phase	
<p>3. (Alternatives A, B and C in near term and cumulative, Alternatives D and E in cumulative scenario only). The project sponsor would pay their fair share contribution towards the installation of traffic signals at the intersection of Asti Road / South Interchange.</p>	Tribe, Caltrans District 4, City of Cloverdale	Planning Phase, Construction Phase, Operation Phase	
<p>4. (All Project Alternatives for near term and cumulative). The project sponsor would pay a fair share contribution towards the construction of a roundabout that encompasses the intersections of U.S. 101 Northbound Ramps / South Interchange and Asti Road / South Interchange. An Intersection Control Evaluation would need to be completed as the first step of Caltrans' Project Initiation Document process.</p>	Tribe, Caltrans District 4, City of Cloverdale	Planning Phase	
<p>5. (All Project Alternatives in near term and cumulative). The project would install either an off-street path or sidewalk along Asti Road between the SMART track/multi-use trail crossing of Asti Road and the project site entrance.</p>	Tribe, Sonoma County, City of Cloverdale	Planning Phase, Construction Phase	
<p>6. (Alternative D in near term and cumulative). Prior to construction, the project applicant shall redesign the parking plan to provide an additional 135 parking spaces. These additional spaces shall be added so as not to substantially change the proposed site layout.</p>	Tribe	Planning Phase	
<p>Mitigation Measures G and H shall both be implemented <u>OR</u> Mitigation Measure I shall be implemented.</p> <p>7. (All Project Alternatives in the cumulative scenario only). The project sponsor would pay their fair share contribution towards the installation of traffic signals at the intersection of Cloverdale Boulevard / South Interchange.</p>	Tribe, Caltrans District 4, City of Cloverdale	Planning Phase, Construction Phase, Operation Phase	
<p>8. (All Project Alternatives in the cumulative scenario only). The project sponsor would pay their fair share contribution towards the installation of traffic signals at the intersection of U.S. 101 Southbound Ramps / South Interchange.</p>	Tribe, Caltrans District 4, City of Cloverdale	Planning Phase, Construction Phase, Operation Phase	
<p>9. (All Project Alternatives in the cumulative scenario only). The project sponsor would pay their fair share contribution towards the construction of a roundabout that encompasses the intersections of Cloverdale Boulevard / South Interchange and the U.S. 101 Southbound Ramps / South Interchange.</p>	Tribe, Caltrans District 4, City of Cloverdale	Planning Phase, Construction Phase, Operation Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
10. (Alternative E in the cumulative scenario only). The project sponsor would pay their fair share contribution towards the installation of traffic signals at the intersection of U.S. 101 Northbound Ramps / Citrus Fair Drive.	Tribe, Caltrans District 4, City of Cloverdale	Planning Phase, Construction Phase, Operation Phase	
11. At least 30 days prior to grading and construction, the Tribe shall prepare and submit a Construction Traffic Control Plan to Sonoma County, the City of Cloverdale, and Caltrans District 4. The Plan shall specify the primary routes for construction traffic, the schedule/timing of deliveries of heavy equipment and building materials, and the schedule/timing of any off-site fill import/export. The Tribe shall consider all comments received prior to construction and incorporate suggested revisions to the maximum extent feasible and as required by laws governing State highway and local roadway facilities.	Tribe, Caltrans District 4, Sonoma County, City of Cloverdale	Planning Phase	
12. The Tribe shall make funding for implementation of the recommended near term road improvements available prior to initiation of construction. Funds shall be placed in an escrow account for use by the governmental entity with jurisdiction over the road to be improved so that the entity may design (funding shall be for design standards consistent with those required for similar facilities in the region, unless a deviation is approved by the entity with jurisdiction), obtain approvals/permits for, and construct the recommended road improvement (note that the entity may request that the Tribe directly perform some of these tasks). In some cases, the governmental entity may feel that an improvement slightly differing from that recommended may better facilitate traffic flow while still mitigating the alternative's impact. In this case, the terms of the escrow account shall allow use of the funds provided by the Tribe to implement the improvement even though the improvement differs slightly from that recommended by the traffic impact study.	Tribe, Caltrans District 4, Sonoma County, City of Cloverdale	Planning Phase	
Land Use			
1. In accordance with FAR Part 77.17 the project Applicant has submitted FAA form SF 7460-1, "Notice of Proposed Construction or Alteration" for FAA review. Pertinent information about the alteration and appropriate attachments showing the type and location of the alteration has been submitted. The Applicant will continue to consult with FAA and will adhere to the recommendations of the FAA, concerning lighting and construction activities, received in response to the Applicant's form SF7460-1 submission. Upon the completion of engineering-level drawings and construction plans and prior to construction, the Tribe will submit additional details to FAA regarding building/antennae locations and building/antennae heights.	Tribe, FAA	Planning Phase, Construction Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
<p>2. To ensure that the proposed wastewater ponds do not become an attractant to hazardous wildlife (such as ducks, geese, and other birds), the pond shall be monitored for one year following construction by a qualified biologist on a monthly basis to determine if hazardous wildlife are being attracted to it. Should it be determined that the pond is an attractant, it shall be covered to eliminate wildlife access. Acceptable materials that could be used to cover the pond include solid covers, grids, mesh, or netting. In addition, all lighting, storm water drainage, and landscaping plans at the WWTP site shall be designed to reduce or negate wildlife attractants. A wildlife hazard biologist shall review all plans.</p>	Tribe	Construction Phase, Operation Phase	
Public Services			
<p>1. The Tribe would enter into a service contract with the City of Cloverdale for water service. The service contract would address the proportionate share of costs for the construction of water distribution lines along Asti Road which would serve the project and other developments. If municipal water cannot be provided the Tribe would choose the private water supply option.</p>	Tribe, City of Cloverdale	Planning Phase, Construction Phase	
<p>2. The Tribe would enter into a service contract with the City of Cloverdale for wastewater service. If municipal water cannot be provided the Tribe would choose the private wastewater option.</p>	Tribe, City of Cloverdale	Planning Phase, Construction Phase	
<p>3. The Tribe would enter into a service contract with the City of Cloverdale Police Department or Sonoma County Sheriff's Office for the provision of primary law enforcement services to the project site.</p> <p>Alternatives A-D: It is anticipated that approximately 2.0 to 2.5 new sworn officer positions would be needed to adequately provide services to the project site and surrounding community. The actual number of sworn officer positions and other costs would be negotiated with the City or County. It is also recommended that the Tribe fund a fair share of the cost of a new police facility for the City of Cloverdale should the City propose this improvement.</p> <p>Alternative E: It is anticipated that approximately a 0.5 new sworn officer position would be needed to adequately provide services to the project site and surrounding community. The actual number of sworn officer positions and other costs would be negotiated with the City or County. It is also recommended that the Tribe fund a fair share of the cost of a new police facility for the City of Cloverdale should the City propose this improvement.</p>	Tribe, City of Cloverdale, Sonoma County	Planning Phase, Construction Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
<p>4. The Tribe would enter into a service contract with the Cloverdale Fire Protection District for the provision of primary fire protection services to the project site.</p> <p>Alternatives A-C: It is anticipated that the Tribe would pay a fair share of the costs for (1) an aerial apparatus recommended for the Alexander Valley Resort, (2) regional training to fight multi-story structure fires, (3) other apparatus within the District's apparatus replacement program and (4) staffing needs.</p> <p>Alternative D and E: It is anticipated that the Tribe would pay a fair share of the costs for apparatus within the District's apparatus replacement program and staffing needs.</p>	Tribe, Cloverdale Fire Protection District	Planning Phase, Construction Phase	
<p>5. Prior to operation, the Tribe shall enter into a service agreement with the Cloverdale Healthcare District for provision of ambulance services to the project site. This agreement would include compensation for responses that do not result in transportation and terms for renegotiation. The agreement may include proportional assessment of costs for staffing and vehicle replacement.</p>	Tribe, Cloverdale Healthcare District	Planning Phase, Construction Phase	
<p>6. The Tribe would develop an emergency response plan (emergency medical, pandemic, natural disaster, failure of private water/wastewater facilities if applicable) in coordination with the local fire protection and emergency medical service providers.</p> <p>Alternatives A-D only: The Tribe would provide a basic level of EMS care on site including EMT-level staff and Automatic External Defibrillators.</p>	Tribe, Cloverdale Fire Protection District, Cloverdale Healthcare District	Planning Phase, Construction Phase, Operation Phase	
<p>7. The following mitigation measure shall apply to the proposed development until food and beverage handling standards are adopted within a Tribal-State Compact (the Compact once executed shall supersede the following requirement):</p> <p>The Tribe shall adopt and comply with standards no less stringent than state public health standards for food and beverage handling at food and beverage establishments. The Tribe shall allow inspection of food and beverage services by state, county, or city health inspectors, as applicable, during normal hours of operation, to assess compliance with these standards, unless inspections are routinely made by an agency of the United States government to ensure compliance with equivalent standards of the United States Public Health Service. Nothing herein shall be construed as submission of the Tribe to the jurisdiction of those state, county, or city health inspectors.</p>	Tribe	Operation Phase	
Noise			
<p>1. Construction activities shall be limited to the daytime hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and shall be prohibited weekends and holidays.</p>	Tribe	Construction Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
<p>2. To reduce daytime noise impacts due to construction, the applicant shall require construction contractors to implement the following measures:</p> <p>Equipment and trucks used for construction shall use the industry standard noise control techniques (e.g., standard mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds).</p> <p>Stationary noise sources shall be located as far from adjacent receptors, whenever feasible, and they shall be muffled and enclosed within temporary sheds and incorporate insulation barriers or other measures.</p>	Tribe	Construction Phase	
<p>3. For the duration of construction, the Tribe shall designate a construction noise coordinator. A sign shall be posted during construction at the project site, visible from Asti Road, which includes the permitted construction days and hours and a phone number contact for the construction noise coordinator. The construction noise coordinator shall track noise complaints and coordinate with construction contractors to implement technically and economically feasible measures to address complaints.</p>	Tribe	Construction Phase	
<p>4. Rooftop air conditioners and other continuously operated 24-hour equipment (i.e., rooftop chillers, refrigeration systems, and exhaust fans) shall be located at the furthest away point from the nearest residential receptor and/or include additional noise attenuation (i.e., rooftop barriers or parapets between the equipment and the nearest sensitive receptor to absorb or deflect the noise) as necessary to reduce noise levels from the equipment to below 50 dBA at the nearest off-site sensitive receptors.</p>	Tribe	Construction Phase, Operation Phase	
Hazardous Materials			
<p>1. In the event that contaminated soil and/or groundwater or other unknown hazardous materials are encountered during construction-related earthmoving activities, or during operation of the facility, all work shall be halted until a qualified individual can assess the extent of contamination. If contamination is determined to be significant, representatives of the Tribe shall consult with the USEPA to determine the appropriate course of action, including the development of a sampling plan and remediation plan if necessary. If concentrations of hazardous substances (i.e. VOCs from the adjacent MGM site) are identified in the groundwater during preliminary testing and development of an onsite potable groundwater source, the Tribe shall implement regular groundwater monitoring and install an appropriate water treatment system to reduce and/or eliminate concentrations from the groundwater supply.</p>	Tribe, U.S. Environmental Protection Agency	Construction Phase	

**TABLE 1
MITIGATION MONITORING AND ENFORCEMENT PLAN (continued)**

Mitigation Measure	Responsible for Monitoring and/or Reporting	Timing of Implementation	Verification (Date and Initials)
Visual Resources			
1. The external appearance of the proposed project facilities, including the choice of color and materials, shall seek to reduce the visual impact of the proposed facilities. Bright reflective materials and colors shall be avoided in favor of colors that blend into the natural environment, mimic an agricultural scale structure or nearby residential structures.	Tribe	Planning Phase, Construction Phase	
2. All outdoor light sources shall be properly shielded and installed to prevent light trespass on adjacent properties. Any flood or spot lamps must be aimed no higher than 45 degrees above straight down (half-way between straight down and straight to the side) when the source is visible from any offsite residential property or public roadway. Project signage will refrain from using excessively bright or neon signage, and will be designed to reduce visual impacts. Dark sky lighting techniques, including light shielding to prevent spill and fixtures for parking and walkways that direct all light to the ground, will be incorporated into the project.	Tribe	Planning Phase, Construction Phase	
3. All new outdoor roadway lights within the project site should consist of high-pressure sodium or low-wattage metal halide or comparable sources. As well, the intensity of the lights should be kept to a minimum necessary for safety and commerce as determined by the Tribe.	Tribe	Planning Phase, Construction Phase, Operation Phase	
4. The proposed project facilities shall be painted with flat colors to reduce or eliminate glare.	Tribe	Construction Phase	

**TABLE 2
SUMMARY OF ROADWAY NETWORK IMPROVEMENT MITIGATION MEASURES**

Mitigation Measure	Applicable Alternatives for Near-Term (and Cumulative)	Applicable Alternatives for Cumulative Only	Significance after Mitigation	
1: The project sponsor would pay 100% of the costs to install traffic signals at one central main entrance to the project site on Asti Road, and to construct a northbound right-turn lane and southbound left-turn lane on Asti Road at the site entrance. Supplementary driveways to the north and south of this signalized access would be configured to limit access to right-turn in/right-turn out only. The Tribe shall enter into an agreement with the County regarding maintenance of the traffic signal.	A, B	C	Less than Significant	
2: The project sponsor would pay their fair share contribution towards the installation of traffic signals at the intersection of U.S. 101 Northbound Ramps / South Interchange.	A, B, C, D, E		Less than Significant (near-term) / Significant and Unavoidable (cumulative)	If Mitigation Measure B and C are selected, then Mitigation Measure D would not be required and vice versa. Either signalization of both intersections or a roundabout would be implemented.
3: The project sponsor would pay their fair share contribution towards the installation of traffic signals at the intersection of Asti Road / South Interchange.	A, B, C	D,E	Less than Significant (near-term) / Significant and Unavoidable (cumulative)	
4: The project sponsor would pay a fair share contribution towards the construction of a roundabout that encompasses the intersections of U.S. 101 Northbound Ramps / South Interchange and Asti Road / South Interchange. An Intersection Control Evaluation would need to be completed as the first step of Caltrans' Project Initiation Document process.	A, B, C, D, E		Less than Significant	
5: The project would install either an off-street path or sidewalk along Asti Road between the SMART track/multi-use trail crossing of Asti Road and the project site entrance.	A, B, C, D, E		Less than Significant	
6: Prior to construction, the project applicant shall redesign the parking plan to provide an additional 135 parking spaces. These additional spaces shall be added so as not to substantially change the proposed site layout.	D		Less than Significant	
7: The project sponsor would pay their fair share contribution towards the installation of traffic signals at the intersection of Cloverdale Boulevard / South Interchange.		A, B, C, D, E	Significant and Unavoidable	If Mitigation Measure G and H are selected, then Mitigation Measure I would not be required and vice versa. Either signalization of both intersections or a roundabout would be implemented.
8: The project sponsor would pay their fair share contribution towards the installation of traffic signals at the intersection of U.S. 101 Southbound Ramps / South Interchange.		A, B, C, D, E	Less than Significant	
9: The project sponsor would pay their fair share contribution towards the construction of a roundabout that encompasses the intersections of Cloverdale Boulevard / South Interchange and the U.S. 101 Southbound Ramps / South Interchange.		A, B, C, D, E	Less than Significant	
10: The project sponsor would pay their fair share contribution towards the installation of traffic signals at the intersection of U.S. 101 Northbound Ramps / Citrus Fair Drive.		E	Less than Significant	