

EXHIBIT I

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) lists the impacts and mitigation measures identified in the Mountain Vista / Sycamore Glen Subdivisions EIR. The MMRP lists mitigation measures recommended in the EIR for the proposed project and identifies monitoring responsibility and a schedule for implementation. Monitoring and reporting details are only provided for mitigation measures necessary to avoid or reduce significant impacts of the project.

Table 1 presents the mitigation measures identified for the proposed project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-1 is the first mitigation measure identified in the Air Quality analysis.

The first and second columns of Table 1 provide the significant impacts and corresponding mitigation measure(s) as identified in Chapter IV of the Draft EIR for the proposed project. The third column, "Monitoring Responsibility," identifies the party(ies) responsible for carrying out the required action(s). The fourth column, "Schedule for Implementing Mitigation Measure," identifies the timeframe for implementing the mitigation measure. The fifth and far-right column will be completed by the City to record the completion date of the mitigation measure

Table 1: Mitigation Monitoring and Reporting Program

Significant Impacts	Mitigation Measures	Monitoring Responsibility	Schedule for Implementing Mitigation Measure	Completion Date
A. AESTHETICS				
<i>There are no significant impacts related to aesthetics.</i>				
B. AIR QUALITY				
<p><u>AIR-1:</u> Demolition and construction period activities could generate significant dust, exhaust, and organic emissions.</p>	<p><u>AIR-1:</u> The following mitigation measures will be included in all future construction plans and documents for the subject parcels to reduce construction-related air quality impacts, as required by General Plan policy and the Butte County Air Quality Management District:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily. The frequency should be based on the type of operation, soil conditions, and wind exposure. • If necessary, apply chemical soil stabilizers to inactive construction areas (disturbed areas that are unused for at least four consecutive days) to control dust emissions. Dust emissions should be controlled at the site for both active and inactive construction areas throughout the entire construction period (including holidays). • Limit vehicle speeds to 15 mph on unpaved roads. • Suspend land clearing, grading, earth moving, or excavation activities when wind speeds exceed 20 mph unless project areas are regularly watered down to control dust. • If applicable, apply non-toxic binders (e.g. latex acrylic copolymer) to exposed areas after cut and fill operation and hydroseed the area. • Cover inactive storage piles. • Project applicant shall consult with the Butte County Air Quality Management District about the application of a paved (or dust palliative treated) apron onto the project site. • Sweep or wash paved streets adjacent to the site where visible silt or mud deposits have accumulated due to construction activities. • Post a publically visible sign at the construction site with the name and telephone number of the person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. The telephone number of the BCAQMD shall also be visible to ensure compliance with BCAQMD Rules 200 and 205 (Nuisance and Fugitive Dust Emissions). 	<p>Department of Public Works Construction Inspectors</p>	<p>Prior to approval of grading and construction plans.</p>	

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AIR-1 <i>continued</i>	<ul style="list-style-type: none"> Prior to final occupancy, the applicant shall demonstrate that all ground surfaces are treated sufficiently to minimize fugitive dust emissions. Fugitive dust emissions are considered dust clouds caused by wind, traffic, or other disturbances to exposed ground surfaces. 			
<p><u>AIR-2:</u> Development of the proposed project will result in increased regional emissions of criteria air pollutants exceeding BCAQMD Thresholds.</p>	<p><u>AIR-2:</u> To further reduce air quality impacts, the following supplemental mitigation measures shall be incorporated into the design of all future development projects on the subject parcels:</p> <ul style="list-style-type: none"> Transit stops shall be provided along Eaton Road, in consultation with BCAG (per Mitigation Measure TRANS-1). Utilize energy-efficient lighting and process systems. Utilize energy-efficient and automated controls for air conditioning. Utilize EPA Phase II certified wood burning devices. To the extent feasible, orient buildings and include landscaping (e.g. shade trees) to maximize natural cooling, and utilize centralized space and water heating and/or use of solar water heating. 	Planning Director	Prior to approval Eaton Road improvement plans; prior to approval of building plans.	
C. BIOLOGICAL RESOURCES				
<p><u>BIO-1:</u> Implementation of the proposed project would impact vernal pools and similar habitats that support vernal pool fairy shrimp and vernal pool tadpole shrimp.</p>	<p><u>BIO-1:</u> Prior to issuance of a grading permit or other project-related disturbance of the site, the applicant shall prepare a Habitat Mitigation and Monitoring Proposal (HMMP) consistent with the final Corps Sacramento District HMMP Guidelines for impacts to vernal pools and swales. The HMMP and other applicable permits shall be approved by the Corps, USFWS, and the RWQCB, prior to initiation of work on the project site. Implementation shall be consistent with the terms of the HMMP. Appropriate mitigation ratios shall be established to ensure no net loss of wetland acreage or value. The HMMP will address, at minimum, the following:</p> <ol style="list-style-type: none"> Project Description: location and summary of project; jurisdictional areas to be filled; types, functions and values of impacted jurisdictional areas; Goal of Mitigation: type, functions and values of habitats to be created or enhanced; temporal losses; estimated costs; Proposed Mitigation Sites: location, size and ownership of mitigation areas; existing functions, values and jurisdictional waters; present and proposed uses and zoning; 	Corps, USFWS, RWQCB	Prior to issuance of a grading permit or other project-related disturbance of the site.	
BIO-1 <i>continued</i>	<ol style="list-style-type: none"> Implementation Plan: rationale for expecting success, responsibilities; schedule; site preparation; planting plan, 			

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	<p>irrigation plan; as-built plans;</p> <ol style="list-style-type: none"> 5. Maintenance: activities; schedule; responsible parties; 6. Monitoring Plan: success and performance criteria; jurisdictional waters to be created/enhanced; monitoring methods; reports and schedule; 7. Completion of Mitigation: agency notification and confirmation; and 8. Contingency Measures: initiation, locations and funding. <p>This mitigation shall be accomplished at both on- and off-site locations. In concept, the plan will consist of three parts:</p> <ol style="list-style-type: none"> 1. <i>On-Site Creation.</i> New vernal pools and swales shall be created within the 56-acre preserve area in the north portion of the project site <u>and the 56-acre preserve area shall be deeded as public open space.</u> As functionally feasible due to existing topography, locations of existing pools, etc., the maximum acreage of vernal pools and swales will be created in an effort to attain the 1:1 creation ratio or as required by the Corps and USFWS permits. 2. <i>On-Site Preservation and Enhancement.</i> A total of 4.7 acres of vernal pools and swales <u>shall be provided within the 56-acre preserve area.</u> Additionally, the preserve will protect 1.53 acres of intermittent drainage (Sycamore Creek), 1.5 acres of created vernal pool habitat, and two wetland treatment basins that total 1.5 acres. The 56-acre preserve area shall be deeded as public open space. In addition, pools and swales disturbed from OHV or other uses shall be enhanced and restored as necessary. Restoration and enhancement will likely include minor grading and contouring of the pool/swale, or adjacent upland areas, in order to restore the natural topography and hydrology. Restored wetland acreage shall be credited towards any creation/preservation acreage to attain the 1:1 creation ratio or as required by the Corps and USFWS permits. 3. <i>Off-Site Mitigation.</i> The project will permanently impact 5.98 acres of listed species habitat (i.e., vernal pools and swales). To mitigate, the applicant will preserve 11.86 acres of listed species habitat (i.e., vernal pools and swales) on the Hamilton Ranch site. A total of 80.2 acres of the 400-acre property will be used for this project that encompasses the 11.86 acres of listed species wetland habitat. 			

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<p><u>BIO-2:</u> Implementation of the proposed project would impact one elderberry plant containing five stems of sufficient size (i.e., >1 inch diameter at ground level) to provide suitable habitat for valley elderberry longhorn beetle.</p>	<p><u>BIO-2:</u> Mitigation for impacts to VELB will be in accordance with the 1999 USFWS Conservation Guidelines for the Valley Elderberry Longhorn Beetle, as follows:</p> <ul style="list-style-type: none"> • To the maximum extent feasible, the stormwater treatment basin planned for Lot B shall be designed to avoid impacts to the elderberry plant, if possible. If the plant can be avoided, orange snow fence or brightly colored nylon rope shall be placed in a 20-foot radius around the plant to protect it from disturbance. If avoidance is not possible, or if the plant is impacted during construction activities, the elderberry plant shall be transplanted as specified below. • If the elderberry plant cannot be avoided through design of the stormwater treatment basin, the elderberry plant shall be transplanted to an appropriate location within the 52.23-acre preserve area on-site. The specific replanting site shall be in a swale or similar feature that flows into Sycamore Creek, similar to the existing location of the elderberry plant. In addition to transplanting, each elderberry stem that is impacted (either by removal or transplanting) shall be replaced with seedlings or cuttings at a 1:1 ratio. A total of five elderberry cuttings or seedlings shall be planted. • Elderberry replanting areas shall be surrounded by a 100-foot buffer from any disturbance or activity (activities associated with creation or enhancement of vernal pools or swales within the preserve area shall be exempt from this requirement). Firebreaks may not be included in conservation areas or buffer zones. • Associated native plants shall be planted in the elderberry replanting area at a 1:1 ratio for each elderberry stem impacted. A total of five associated native cuttings or seedlings shall be planted. Associated species shall include native species found in similar conditions in the project area. All native plants shall be propagated and grown at a local nursery. • After implementation, the elderberry planting area must remain as VELB habitat in perpetuity. It is the applicant's responsibility to provide funding and appoint the party in charge of long-term management of the conservation area. 	<p>Planning Director, USFWS</p>	<p>Prior to approval of grading permits; ongoing due to long-term management.</p>	
<p><i>BIO-2 continued</i></p>	<ul style="list-style-type: none"> • Long-term management of the conservation area shall include control of nonnative species, toxic chemicals, and litter. Management also includes fencing the conservation area and posting signs identifying the site as VELB habitat. 			

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	<ul style="list-style-type: none"> The conservation area shall be monitored for a period of 10 consecutive years, or for seven years over a 15-year period. For each year in which a monitoring survey is required, a qualified biologist or restoration specialist shall conduct two surveys and complete a written report. Access to the conservation area shall also be provided to biologists and law enforcement personnel from USFWS and CDFG. Preconstruction surveys shall be conducted to determine if additional growth has altered the stem size assessment (i.e., if the diameter of any stems have increased such that additional mitigation is required). USFWS shall be notified if additional impact to VELB habitat would occur beyond those identified in this assessment. 			
<p><u>BIO-3:</u> Implementation of the proposed project would impact 110.26 acres of nonnative grassland that is suitable foraging habitat for Swainson's Hawk.</p>	<p><u>BIO-3:</u> Prior to issuance of a grading permit or other project-related disturbance of the site, the applicant shall provide evidence that adequate mitigation has been provided for the loss of 110.26 acres of nonnative grassland that is suitable foraging habitat for Swainson's hawk. At a 0.5:1 ratio, mitigation for the loss of 110.26 acres of foraging habitat is 55.13 acres. Because 52.23 acres of habitat will be provided in the <u>56-acre on-site preserve area (and the 56-acre preserve area shall be deeded as public open space)</u>, an additional 2.9 acres of nonnative grassland or other suitable foraging habitat shall be preserved at an off-site location. The applicant has an option to purchase a <u>400-acre conservation easement at Hamilton Ranch, a property in Tehama County, in which a total of 80 acres will be preserved for off-site mitigation purposes</u> for the purpose of providing the required 2.9 acres of off-site mitigation.</p>	<p>Planning Director</p>	<p>Prior to issuance of a grading permit or other project-related disturbance of the site.</p>	
<p><u>BIO-4:</u> Implementation of the proposed project could impact potential nesting habitat for Swainson's hawk or other raptors.</p>	<p><u>BIO-4:</u> If project construction is to begin during the nesting season (March 1 - September 15), all suitable nest trees along Sycamore Creek within 0.25-mile of the limits of work shall be surveyed by a qualified biologist prior to initiating construction-related activities. Surveys will be conducted no more than 14 days prior to the start of work. If an active Swainson's hawk nest is discovered, a 0.25-mile buffer shall be established on the project site around the nest tree and delineated using orange snow fence or brightly colored nylon rope. If an active nest of another raptor species is discovered, a 500-foot buffer shall be established. The buffer shall be maintained in place until the end of the breeding season or until the young have fledged, as determined by a qualified biologist. In some instances, CDFG may approve decreasing the specified</p>	<p>Planning Director</p>	<p>Prior to issuance of a grading permit or other project-related disturbance of the site if project construction is to begin during the nesting season (March 1 - September 15)</p>	

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	buffers with implementation of other avoidance and minimization measures (e.g., having a qualified biologist on-site during construction activities during the nesting season to monitor nesting activity). If no nesting is discovered, construction can begin as planned. Construction beginning during the non-nesting season and continuing into the nesting season shall not be subject to these measures.			
<u>BIO-5</u> : Implementation of the proposed project would impact wetlands.	<u>BIO-5</u> : Same as Mitigation Measure BIO-1.	Corps, USFWS, RWQCB	Prior to issuance of a grading permit or other project-related disturbance of the site.	
D. CULTURAL RESOURCES				
<p><u>CULT-1</u>: Ground-disturbing activities associated with site preparation, grading, and other construction activities could adversely impact archaeological resources.</p> <p><i>CULT-1 continued</i></p>	<p><u>CULT-1</u>: A qualified archaeologist shall monitor all ground disturbing activities within the two areas identified as potentially containing archaeological resources. These areas include: 1) the recorded site boundaries of P-403 (west of the vernal pool) plus a 25-foot surrounding buffer; and 2) the strip of land from the fenceline that forms the southern project area boundary north 50 feet, and from the existing PG&E substation west to the intersection of Floral Avenue and Lupin Avenue. This area conforms to the reported location of midden documented as part of archaeological site P-403.</p> <p>Archaeological monitors shall be empowered to halt construction activities at the location of the discovery to review possible archaeological material and to protect the resource while the finds are being evaluated. This monitoring shall continue until, in the archaeologist's judgment, cultural resources are not likely to be encountered.</p> <p>If deposits of prehistoric or historical archaeological materials are encountered during project activities, all work within 50 feet of the discovery shall be redirected until the archaeological monitor evaluates the situation and provides recommendations. Project personnel shall not collect or move any archaeological material. Fill soils that may be used for construction purposes shall not contain archaeological materials. If archaeological deposits cannot be avoided, they shall be evaluated for their significance in accordance with the California Register. If the resources are not significant, further protection is not necessary. If the resources are</p>	Planning Director, archaeologist.	During all ground disturbing activities in the two identified areas, continuing until, in the archaeologist's judgment, cultural resources are not likely to be encountered.	

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	significant, they will need to be protected from adverse effects or such effects must be mitigated. Upon completion of the archaeological assessment, a report shall be prepared documenting the methods and results, as well as recommendations. The report shall be submitted to the NEIC and to the Planning Division of the City of Chico Community Development Department.			
<p><u>CULT-2:</u> Ground-disturbing activities associated with site preparation, grading, excavation or utility trenching could disturb human remains, including those interred outside of formal cemeteries.</p>	<p><u>CULT-2:</u> If human remains are encountered during construction activities, work within 50 feet of the discovery shall be redirected and the county coroner notified immediately. At the same time, an archaeologist shall be contacted to evaluate the situation. If the human remains are of Native American origin, the coroner shall notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission shall identify a Native American Most Likely Descendent to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. A report documenting the methods, findings, and recommendations shall be prepared. The report shall be submitted to the NEIC and the Planning Division of the City of Chico Community Development Department.</p>	<p>Construction Manager; Planning Director</p>	<p>If human remains are encountered.</p>	
<p>E. HAZARDS AND HAZARDOUS MATERIALS</p>				
<p><i>There are no significant impacts related to hazards and hazardous materials.</i></p>				
<p>F. HYDROLOGY</p>				
<p><u>HYDRO-1:</u> Increased stormwater runoff from the project could impact downstream sources.</p>	<p><u>HYDRO-1:</u> Prior to approval of grading plans for the proposed project, the applicant shall submit a storm drainage plan to the Department of Public Works for review and approval in accordance with the standards set forth in the City's adopted Storm Drainage Master Plan (2000). The applicant shall also be responsible for obtaining the necessary regulatory permits from the Corps, RWQCB, and CDFG. The storm drainage plan shall be based on criteria including, but not limited to:</p> <ul style="list-style-type: none"> • Incorporation of all relevant BMPs included in the City's Best Practices Manual related to stormwater drainage, including interception of "first-flush" contaminants from the initial 0.5-inch of rainfall for each storm event. • The design and selection of BMPs will be based on site-specific considerations such as geology, topography, and hydrology. • Given the site-specific conditions of the project area and presence of sensitive vernal pools in the area, the drainage plan 	<p>Public Works Director</p>	<p>Prior to approval of grading plans.</p>	

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	<p>will generally include limiting soil disturbances near vernal pools during the winter rainfall season.</p> <p>Relevant BMPs include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • The use of grassed swales as opposed to culverts, for runoff conveyance. Grassed swales reduce runoff velocities, thereby decreasing peak runoff rates. • Preservation of existing vegetation to the extent possible by flagging or fencing to avoid disturbance. • Installation of soil stabilization BMPs, such as mulching, erosion control fabrics, and/or reseeded with grass or other plants. • Reducing vehicle tracking of sediment onto paved surfaces during the winter rainfall period by vehicle washing and street sweeping. • Implementation of hazardous materials management practices to reduce the possibility of chemical spills or releases of contaminants. 			
HYDRO-1 <i>continued</i>	<ul style="list-style-type: none"> • Establishing staging areas for heavy equipment and construction materials so that inadvertent spills of oil, grease, asphalt, other petroleum by-products, or other hazardous materials will not be discharged into sensitive wetland areas. All machinery will be properly maintained and cleaned to prevent spills and leaks. • Regular inspection and maintenance of BMPs to ensure they are in good working order. <p>The storm drainage plan shall be prepared by a registered civil engineer and will be in conformance with City and state agency stormwater guidelines, including procurement of a General Stormwater Permit and/or water quality certification.</p>			
G. LAND USE				
<i>There are no significant impacts related to land use.</i>				
H. NOISE				
NOISE-1: Noise levels from construction activities may range up to 85 dBA L _{max} at the nearest land uses to the project site for a limited time period.	<p>NOISE-1: The following measures shall be implemented during construction of the proposed project.</p> <ul style="list-style-type: none"> • All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. • As part of the proposed project, all operations would comply 	Construction Manager, Planning Director	During Construction.	

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	<p>with the noise ordinance standards, and stockpiling and/or vehicle staging areas would be located as far as practicable from dwellings.</p> <ul style="list-style-type: none"> Construction activities shall be restricted to between 7:00 a.m. and 9:00 p.m. Monday through Saturday, and 10:00 a.m. and 6:00 p.m. on Sundays or federal holidays. 			
<p><u>NOISE-2</u>: Local traffic will generate long-term noise levels exceeding 60 dBA CNEL on the project site.</p>	<p><u>NOISE-2</u>: Proposed sensitive land uses will require the following mitigation measures.</p> <ul style="list-style-type: none"> Sound walls (Plexiglas or equivalent material with a minimum height of 6 feet) would be required for any balconies located along Eaton Road. To achieve the indoor fresh-air ventilation requirements specified in Chapter 35 of the Uniform Building Code, all units adjacent to Eaton Road will require mechanical ventilation to ensure that windows can remain closed for a prolonged period of time. 	<p>Planning Director</p>	<p>Prior to occupancy of residential uses along Floral Avenue and Eaton Road.</p>	
<p><u>NOISE-3</u>: Long-term stationary noise sources on the project site could potentially generate noise levels in excess of the thresholds set in the City's Municipal Code.</p>	<p><u>NOISE-3</u>: The following measures are required for the operations of the proposed project:</p> <ul style="list-style-type: none"> All on-site stationary noise sources shall comply with the standards listed in Section 9.38.030 of the City's Municipal Code. Loading docks or loading areas and noise-generating equipment associated with the retail uses will be located as far as practical from all existing and planned residential uses. 	<p>Planning Director</p>	<p>During the lifetime of the project.</p>	
<p><u>NOISE-4</u>: Homes within the 55 dB CNEL noise contour would be impacted by noise from aircraft overflights.</p>	<p><u>NOISE-4</u>: Prior to the issuance of building permits for any residential structures within the 55dB CNEL noise contour, the building division shall verify that homes within this area shall be constructed utilizing noise attenuation features to reduce interior noise levels to less than 45 dB CNEL within all habitable rooms. Attenuation features that may be incorporated to meet this criterion could include, but are not limited to, special noise insulating construction and the installation of air conditioning so that windows can be kept closed.</p>	<p>Building Official.</p>	<p>Prior to issuance of building permits.</p>	
I. PUBLIC SERVICES				
<i>There are no significant impacts related to public services.</i>				
J. TRANSPORTATION AND CIRCULATION				
<p><u>TRANS-1</u>: Implementation of the proposed project may create demand for</p>	<p><u>TRANS-1</u>: The project applicant shall work with BCAG to ensure that sufficient service is provided to the study area, if deemed</p>	<p>Planning Director, Public</p>	<p>Prior to approval of Eaton Road</p>	

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public transit service above that which is currently planned or provided for by the City of Chico.	necessary by BCAG. In addition, the project shall coordinate with BCAG to provide two convenient transit stops within the project site. The transit stops shall be located on Eaton Road and shall include pedestrian shelters. In addition, adequate bus turn-out areas shall be provided so that stopped buses do not interfere with through vehicles on the roadway system.	Works Director	Improvement Plans.	
K. UTILITIES				
<i>There are no significant impacts related to utilities.</i>				