

# CHAPTER 4

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## Mitigation Monitoring and Reporting Program

### 4.1 Purpose of this Document

This chapter contains the Mitigation Monitoring and Reporting Program (MMRP) prepared in compliance with Public Resources Code Section 21081.6(a). The MMRP will be considered for adoption by the Planning Commission and/or the Board of Supervisors and will aid the County in its implementation and monitoring of measures included in the EIR and adopted by the Commission and/or Board.

This MMRP also includes applicable measures that carry over from the Project's Initial Study. For some topics, measures that were included in the Initial Study have since been superseded by new or revised measures from the Draft EIR or are otherwise no longer applicable. In those cases, only the applicable Draft EIR measures are provided here.

**YOSEMITE UNDER CANVAS  
MITIGATION MONITORING AND REPORTING PROGRAM**

	Mitigation	Implemented By	When Implemented	Monitored By	Verified By
<b>3.4 Biological Resources</b>					
<p><b>Impact 3.4-1:</b> Implementation of the Project could result in the loss of potential nesting habitat for special-status bird species and other sensitive and/or protected bird species.</p>	<p><b>Mitigation Measure 3.4-1:</b> If vegetation removal begins during the nesting season (February 1 to September 15), a qualified biologist shall conduct a preconstruction survey for active nests in suitable nesting habitat within 500 feet of the construction area for nesting raptors and migratory birds (¼ mile for northern goshawk and California spotted owl). Areas off the Project site that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. The survey shall be conducted by a qualified biologist no more than seven days prior to the onset of construction. If no active nests are identified during the pre-construction survey, no further mitigation is necessary. If construction activities begin prior to February 1, it is assumed that no birds would nest in the Project site during active construction activities and no pre-construction surveys are required. If at any time during the nesting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming.</p> <p>a. If active nests are found during the survey, the Project proponent shall implement mitigation measures to ensure that the species would not be adversely affected, which would include establishing a no-work buffer zone as, approved by CDFW, around the active nest.</p> <p>b. Measures shall include, but would not be limited to:</p> <ol style="list-style-type: none"> <li>1. For trees with active nests, the Project proponent shall conduct any tree removal activities required for Project construction outside of the migratory bird breeding season (February 1 through September 15).</li> <li>2. If active nests are found on or within 500 feet of the Project site (¼ mile for northern goshawk and California spotted owl), then the Project proponent shall establish no disturbance buffers for active nests of 250 feet for migratory bird species, 500 feet for non-listed raptor species, and ¼-mile for northern goshawk and California spotted owl, until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Depending on the 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. Nests that are inaccessible due to private property restrictions shall be monitored using binoculars from the nearest vantage point. Construction activities may be halted at any time if, in the professional opinion of the biologist, construction activities are affecting the breeding effort.</li> </ol>	Applicant's biological resources consultant	No more than 7 days prior to commencement of vegetation removal	Community Development Department	Community Development Department

**YOSEMITE UNDER CANVAS  
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	Mitigation	Implemented By	When Implemented	Monitored By	Verified By
<b>3.4 Biological Resources (cont.)</b>					
3.4-1 (cont.)	<p>3. 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 a case-by-case 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 and the Project proponent shall notify CDFW. The construction manager shall stop construction activities within the buffer until the nest is no longer active. Completion of the nesting cycle shall be determined by a qualified biologist. If construction begins outside of the migratory bird breeding season (February 1 through September 15), then the Project proponent is permitted to continue construction activities throughout the breeding season.</p>				
<p><b>Impact 3.4-2:</b> Implementation of the Project could result in impacts to special-status bat species.</p>	<p><b>Mitigation Measure 3.4-2:</b> In advance of tree removal, a preconstruction survey for special-status bat habitat shall be conducted by a qualified biologist to characterize potential bat roosting habitat and identify active roost sites within the Project site. Should potential roosting habitat or active bat roosts be found in trees to be removed, the following measures shall be implemented:</p> <ul style="list-style-type: none"> <li>• Removal of trees that support potential bat roosting habitat shall occur when bats are active, approximately between the periods of March 1 to April 15 and August 15 to October 15, and outside of bat maternity roosting season (approximately April 15 – August 31) and outside of months of winter torpor (approximately October 15 – February 28), to the extent feasible.</li> <li>• If removal of trees during the periods when bats are active is not feasible and active bat roosts being used for maternity or hibernation purposes are found on or in the immediate vicinity of the Project site where tree removal is planned, a no-disturbance buffer of 100 feet shall be established around these roost sites until they are determined to be no longer active by the qualified biologist.</li> <li>• The qualified biologist shall be present during tree removal if roosting habitat is present. Trees with roosting habitat shall be removed only when no rain is occurring or is forecast to occur for three days and when nighttime temperatures are at least 50°F and sustained wind speeds are less than 10 mph.</li> <li>• Removal of trees with potentially active roost sites shall follow a two-step removal process:</li> </ul>	Applicant's biological resources consultant	Prior to commencement of tree removal	Community Development Department	Community Development Department

**YOSEMITE UNDER CANVAS  
MITIGATION MONITORING AND REPORTING PROGRAM (Continued)**

	Mitigation	Implemented By	When Implemented	Monitored By	Verified By
<b>3.4 Biological Resources (cont.)</b>					
3.4-2 (cont.)	<ol style="list-style-type: none"> <li>1. On the first day of tree removal and under supervision of the qualified biologist, branches and limbs not containing cavities or fissures in which bats could roost, shall be cut using chainsaws or other hand tools.</li> <li>2. On the following day and under the supervision of the qualified biologist, the remainder of the tree may be removed, either using chainsaws or other equipment (e.g. excavator or backhoe).</li> </ol> <p>Comprehensive survey results shall be submitted to CDFW and the California Department of Forestry and Fire Protection at least seven (7) days prior to the commencement of timber operations conducted in that year. Comprehensive survey results need to have sufficient detail to demonstrate to CDFW the level of survey effort including who conducted the survey, location of survey(s), habitat map, acreage/area covered per day per surveyor, timing of survey, survey methodologies, and data sheets.</p>				
<b>Impact 3.4-4:</b> Construction of the Project could result in a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	Mitigation Measure 3.4-3: The Project proponent shall demonstrate that there is no net loss of wetlands and other waters of the U.S. and state protected waters/wetlands. To ensure this, wetland mitigation shall be developed as a part of the permitting process as described above. Mitigation shall be provided prior to construction related impacts on the existing waters/wetlands. The exact mitigation ratio would be determined in consultation with the USACE, CDFW, and/or RWQCB based on the type and value of the waters/wetlands affected by the Project, but the Project shall compensate for impacted waters/wetlands at a ratio no less than 1:1. Compensation shall take the form of preservation or creation in accordance with USACE and/or CDFW mitigation requirements, as required under Project permits. Preservation and creation would occur offsite through purchasing credits at a USACE, CDFW, and/or RWQCB-approved mitigation bank.	Applicant	Prior to commencement of construction in affected wetlands and/or waters	Community Development Department	Community Development Department
<b>Impact 3.4-8:</b> Implementation of the Project, in conjunction with other development, could contribute to the cumulative harm to, or loss of nesting habitat for, special-status bird species and other sensitive and/or protected bird species.	Implement Mitigation Measure 3.4-1, above	Applicant's biological resources consultant	No more than 7 days prior to commencement of vegetation removal	Community Development Department	Community Development Department
<b>Impact 3.4-9:</b> Implementation of the Project, in combination with other cumulative development, could contribute to the cumulative loss of habitat, or impacts to bat species.	Implement Mitigation Measure 3.4-2, above	Applicant's biological resources consultant	Prior to commencement of tree removal	Community Development Department	Community Development Department

**YOSEMITE UNDER CANVAS  
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	Mitigation	Implemented By	When Implemented	Monitored By	Verified By
<b>3.4 Biological Resources (cont.)</b>					
<b>Impact 3.4-10:</b> Implementation of the Project, in combination with other cumulative development, could contribute to the cumulative loss of state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	Implement Mitigation Measure 3.4-3, above	Applicant	Prior to commencement of construction in affected waters	Community Development Department	Community Development Department
<b>3.5 Hydrology and Water Quality</b>					
<b>Impact 3.5-6:</b> Implementation of the proposed Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.	<p>Mitigation Measure 3.5-1: Prior to construction, the applicant shall acquire a will-serve letter from PG&amp;E. The procedures to acquire PG&amp;E approval to connect to their electrical grid are summarized Below (PG&amp;E, undated):</p> <ol style="list-style-type: none"> <li>1. Application package: An application package that includes the following shall be submitted to PG&amp;E: <ol style="list-style-type: none"> <li>a. Site plan</li> <li>b. Improvement plans</li> <li>c. Architectural plans (elevation plans, for example, to review meter location)</li> <li>d. Project-approval and permit conditions that need to be incorporated in utility design and construction activities. This may include requirements and conditions for onsite activities, as well as to offsite improvements, along with relevant permits and Project approvals.</li> <li>e. Additional load details beyond those listed in application.</li> <li>f. Electrical and mechanical plans</li> <li>g. Acquire permits and approvals from appropriate county and other regulatory agencies.</li> </ol> </li> <li>2. Field meeting: Conduct a field meeting with PG&amp;E to review the Project needs. Topics may include Project conditions, engineering, service routes, meter locations, rights-of-way, tree pruning, construction responsibilities, temporary construction power needs, date the service is needed, preliminary costs, and rates.</li> <li>3. Engineering: During the engineering phase, PG&amp;E identify their costs, prepare construction drawings, order critical materials with long lead times and coordinate service engineering with other utilities.</li> </ol>	Applicant	Prior to issuance of building permits	Community Development Department	Community Development Department

**YOSEMITE UNDER CANVAS  
MITIGATION MONITORING AND REPORTING PROGRAM (Continued)**

	Mitigation	Implemented By	When Implemented	Monitored By	Verified By								
<b>3.5 Hydrology and Water Quality (cont.)</b>													
3.5-6 (cont.)	<p>4. Billing, Contract, and Right-Of-Way: Once PG&amp;E receives all contracts and payments, and all requirements for rights-of-way, permits and disclosed conditions (refer to Step 1) are met, PG&amp;E will schedule construction of the electrical connection.</p> <p>5. Construction: Under Canvas shall complete all of the construction responsibilities Under Canvas agreed to before PG&amp;E will complete their part of the gas and electric service. A PG&amp;E representative may set up a pre-construction meeting to review construction responsibilities in more detail and discuss final scheduling.</p> <p>6. Meter Set: Once construction is complete, Under Canvas shall contact PG&amp;E to install (set) the electric meter.</p>												
<b>Impact 3.5-15:</b> Implementation of the proposed Project, in conjunction with other development, would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.	Implement Mitigation Measure 3.5-1, above	Applicant	Prior to issuance of building permits	Community Development Department	Community Development Department								
<b>3.6 Noise</b>													
<b>Impact 3.6-1:</b> Implementation of the Project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	<p><b>Mitigation Measure 3.6-1(a):</b> The noise levels generated by activities on the Project site must adhere to the following General Plan exterior noise limits as measured at the receiving property line:</p> <table border="1"> <thead> <tr> <th rowspan="2">Zoning Classification of Receiving Property</th> <th colspan="2">Noise Level (dB) of Sound Source</th> </tr> <tr> <th>Daytime (7 a.m. to 10 p.m.)</th> <th>Nighttime (10 p.m. to 7 a.m.)</th> </tr> </thead> <tbody> <tr> <td>MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP</td> <td>50 Leq. (1 hour)</td> <td>45 Leq. (1 hour)</td> </tr> </tbody> </table>	Zoning Classification of Receiving Property	Noise Level (dB) of Sound Source		Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)	MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 Leq. (1 hour)	45 Leq. (1 hour)	Applicant	Ongoing during operation	Community Development Department	Community Development Department
	Zoning Classification of Receiving Property		Noise Level (dB) of Sound Source										
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<p><b>Mitigation Measure 3.6-1(b):</b> Hours of exterior construction on the Project site shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Exterior construction shall be prohibited on Sunday and County Holidays.</p>		Applicant	Ongoing during construction	Community Development Department	Community Development Department								

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	Mitigation	Implemented By	When Implemented	Monitored By	Verified By
<b>3.8 Transportation</b>					
<b>Impact 3.8-1:</b> Implementation of the Project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.	<b>Mitigation Measure 3.8-1:</b> During periods of peak visitation, Under Canvas staff shall coordinate with the Yosemite Area Regional Transportation System (YARTS) to identify transit runs where transit demand may exceed capacity. On those dates, and for those runs where such an exceedance is expected, Under Canvas staff will recommend alternative departure times for guests to help avoid overcrowding during the identified runs.	Applicant	Ongoing during operation	Community Development Department	Community Development Department
<b>Impact 3.8-5:</b> Implementation of the Project, in conjunction with other development, would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.	Implement Mitigation Measure 3.8-1, above	Applicant	Ongoing during operation	Community Development Department	Community Development Department
<b>Cultural Resources (from Initial Study)</b>					
<b>Impact CUL(b):</b> The Project could cause a substantial adverse change to an archaeological resource through physical demolition, destruction, relocation, or alteration of the resource.	<b>Mitigation Measure CUL-1:</b> If prehistoric or historic-era archaeological resources are encountered, all construction activities within 100 feet of the find shall halt and Tuolumne County (County) shall be notified. Prehistoric archaeological 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. An archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for Archeology (qualified archaeologist) shall inspect the findings within 24 hours of discovery. If it is determined that the Project could damage a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with Public Resources Code (PRC) § 21083.2 and CEQA Guidelines § 15126.4, with a preference for preservation in place.  Consistent with CEQA Guidelines § 15126.4(b)(3), preservation in place may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, a qualified archaeologist shall prepare and implement a detailed treatment plan in consultation with the County.	Applicant	Ongoing during construction	Community Development Department	Community Development Department

**YOSEMITE UNDER CANVAS  
MITIGATION MONITORING AND REPORTING PROGRAM (Continued)**

	<b>Mitigation</b>	<b>Implemented By</b>	<b>When Implemented</b>	<b>Monitored By</b>	<b>Verified By</b>
<b>Cultural Resources (from Initial Study) (cont.)</b>					
CUL(b) (cont.)	Treatment of unique archaeological resources shall follow the applicable requirements of PRC § 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the Project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.				
<b>Impact CUL(c):</b> The Project could disturb any human remains, including those interred outside of formal cemeteries.	<b>Mitigation Measure CUL-2:</b> In the event of discovery or recognition of any human remains during construction activities, such activities within 100 feet of the find shall cease until the Tuolumne County Coroner has been contacted to determine that no investigation of the cause of death is required. The Native American Heritage Commission (NAHC) will be contacted within 24 hours if it is determined that the remains are Native American. The NAHC will then identify the person or persons it believes to be the most likely descendant from the deceased Native American (PRC § 5097.98), who in turn would make recommendations to the County for the appropriate means of treating the human remains and any associated funerary objects [CEQA Guidelines § 15064.5(d)].	Applicant	Ongoing during construction	Community Development Department	Community Development Department