

Mitigation Monitoring Plan

Introduction

Section 15097 of CEQA requires all state and local agencies to establish monitoring or reporting programs for projects approved by a public agency, whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

As stated in Chapter 2 of the Final Initial Study, the AOC will implement the project in compliance with standard conditions and requirements for state or federal regulations or laws that are independent of CEQA compliance. The standard conditions and requirements serve to prevent specific impacts. Typical standard conditions and requirements include compliance with the provisions of the California Building Code, National Pollutant Discharge Elimination System (NPDES) permit system, Public Resources Code Section 5097 for discovery of unexpectedly encountered human remains, and Lake County Air Quality Management District (LCAQMD) Rules.

The AOC’s plans for the project also include project design features - specific design elements that the AOC has incorporated into the project’s construction and operation to prevent the occurrence of potential environmental effects or reduce the significance of potential environmental effects. The project design features are actions that conform to the California Trial Court Facilities Standards’ specifications. For example, the parties implementing the proposed project will use best management practices and technologies aimed to limit the use of natural resources as well as the project’s operating cost over the life of the building. Because the AOC is incorporating the project design features into the project, the design features do not constitute mitigation measures as defined by CEQA.

The AOC’s proposed courthouse design will conform to the specifications of the California Trial Court Facilities Standards, including the standard that the AOC shall design and construct court buildings using proven best practices and technology with careful use of natural resources. To implement this standard, the project’s project manager will include specifications that design efforts and construction operations implement best management practices and other measures throughout the construction phase to avoid or minimize potential impacts. These project design features, best management practices, and other measures will include:

- General measures:
 - Designate a contact person for public interaction.
 - Inform the Lakeport community through the use of a website that identifies the upcoming work and potential impacts to the surrounding communities.
- Storm water, water quality, and soil erosion management measures:
 - The AOC’s construction contract will include provisions that require the construction contractor to obtain the Central Valley Regional Water Quality Control Board’s (RWQCB) approval of a Storm Water Pollution Prevention Plan (SWPPP). Prior to

the start of construction, the AOC will ensure that the construction contractor prepared a SWPPP and secured the RWQCB's approval of the plan.

- The construction contractor will incorporate BMPs consistent with the guidelines provided in the California Storm Water Best Management Practice Handbooks: Construction (California Stormwater Quality Association, 2003).
 - For construction during the rainy season, the construction contractor will implement erosion measures that may include mulching, geotextiles and mats, earth dikes and drainage swales, temporary drains, silt fence, straw bale barriers, sandbag barriers, brush or rock filters, sediment traps, velocity dissipation devices, and/or other measures.
 - Wherever possible, the construction contractor will perform grading activities outside the normal rainy season to minimize the potential for increased surface runoff and the associated potential for soil erosion.
- Air quality management measures. The construction contractor will:
 - Provide an asbestos-dust-hazard mitigation plan (also referred to a serpentine dust control plan) prior to any construction activities on-site. The Plan should include provisions for dust control measures to achieve no visible emissions, prevent material track-out onto the public road, provide for worker notification of the plan requirements and asbestos hazards, the posting of an asbestos warning notice at the site, and the covering of all disturbed serpentine surfaces subject to traffic wear or wind erosion with non-asbestos containing materials. Exposed serpentine surfaces that may be subject to vehicular traffic should have restricted access (fencing or other effective barriers) until such time as the surface is adequately covered with non-asbestos material.
 - When necessary, apply water or a stabilizing agent to exposed surfaces in sufficient quantity at least two times a day to prevent generation of dust plumes.
 - Moisten or cover excavated soil piles to avoid fugitive dust emissions.
 - Discontinue construction activities that generate substantial dust blowing on unpaved surfaces during windy conditions, trackout, or nuisance conditions. The construction contractor will be required to stop work until corrective measures are in place.
 - Install and use a wheel-washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the proposed project site.
 - Cover dump trucks hauling soil, sand, and other loose materials with tarps or other enclosures that will reduce fugitive dust emissions.
 - Ensure that all construction and grading equipment is properly maintained.
 - Ensure that construction personnel turn off equipment when equipment is not in use.
 - Ensure that all vehicles and compressors utilize exhaust mufflers and engine enclosure covers (as designed by the manufacturer) at all times.

- When feasible, use electric construction power for construction operations, in lieu of diesel-powered generators to provide adequate power for man/material hoisting, crane, and general construction operations.
- Suspend heavy-equipment operations during first-stage and second-stage smog alerts.
- Noise and vibration measures. The construction contractor will:
 - Equip construction equipment with the best available noise attenuation device such as mufflers or noise attenuation shields.
 - When feasible, for construction operations use electric construction power in lieu of diesel-powered generators to provide adequate power for man/material hoisting, crane, and general construction operations.

The intent of this Mitigation Monitoring Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures to reduce or avoid significant environmental impacts. Mitigation measures identified in this Mitigation Monitoring Plan are in the Initial Study prepared for the proposed project. AOC representatives will use this Mitigation Monitoring Plan to ensure compliance with mitigation measures during project implementation.

The following table provides a summary of all mitigation and monitoring that will be conducted for the project. It also identifies the responsible monitoring agency and implementation phase.

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Impact Statement	Mitigation Measure	Monitoring Action	Monitoring Party	Implementation Phase
AIR QUALITY				
<p><i>Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation?</i></p>	<p>AQ- 1: During construction operations, excessive fugitive dust emissions shall be controlled by regular water or other dust preventive measures using the following best management practices:</p> <ul style="list-style-type: none"> • Limit on-site vehicle speed to 15 miles per hour. • Water material excavated or graded sufficiently to prevent excessive amounts of dust. Water three times daily with complete coverage, preferably in the late morning and after work is done for the day. • Water or securely cover material transported on-site or off-site sufficiently to prevent generating excessive amounts of dust. • Minimize area disturbed by clearing, grading, earth moving, or excavation operations so as to prevent generating excessive amounts of dust. • Indicate these control techniques in project specifications. Compliance with the measure shall be subject to periodic site inspections by the city. 	<p>Incorporate air quality measures into project's contract specifications</p>	<p>AOC project manager</p>	<p>During preparation of contract specifications</p>
		<p>Ensure that applicable measures are implemented / enforced during construction</p>	<p>AOC construction inspector</p>	<p>During construction activities / operations</p>

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	<ul style="list-style-type: none"> • Prevent visible dust from the project from emanating beyond the property line, to the maximum extent feasible. • Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more). • Trucks transporting soil, sand, cut or fill materials, and/or construction debris to or from the site must be tarped from the point of origin. 			
<p><i>Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation?</i></p>	<p>AQ-2: The project applicant shall notify the Lake County Air Quality Management District of intended operations 30 days prior to construction activity. The project applicant shall file and receive approval of an asbestos-dust-hazard mitigation plan (also referred to as a serpentine dust control plan) prior to any construction activity at the project site. The plan shall address and include mitigation for: excavation, roads, yards, driveways, parking areas, hauling and tracking of material onto adjacent roadways. All</p>	<p>Incorporate air quality measures into project's contract specifications</p>	<p>AOC project manager</p>	<p>During preparation of contract specifications</p>
		<p>Ensure that the Lake County Air Quality Management District is notified of intended operations. Ensure that an asbestos-dust-hazard mitigation plan / serpentine dust control plan is filed and approved prior to any construction activity.</p>	<p>AOC project manager</p>	<p>30 days prior to commencement of construction activity</p>

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	<p>material shall be transported in a manner minimizing dust emissions. In no instance shall the dust from such operations exceed five percent opacity 20-feet from the traveled surface. The applicant shall inform employees working at the project site of the potential health risk of airborne asbestos and the requirements of the asbestos-dust-hazard mitigation plan. The plan shall be consistent with the California Air Resources Board Section 93105, <i>Final Regulation Order – Asbestos Air Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations</i>.</p>	<p>Ensure that applicable air quality measures are implemented / enforced during construction</p>	<p>AOC construction inspector</p>	<p>During construction activities / operations</p>
BIOLOGICAL RESOURCES				
<p><i>Would the project have a substantial adverse effect on any species identified as a candidate, sensitive, or special-status species?</i></p>	<p>BIO-1: Following the development of a site plan and prior to the commencement of construction activities, the AOC shall prepare a Mitigation Plan to offset impacts to the on-site serpentine herb community and the following three special-status plants species: 1) Colusa layia; 2) serpentine cryptantha; and 3) bent-flowered fiddleneck. Tracy’s clarkia shall also be avoided/protected where possible.</p>	<p>Incorporate biological resource measures into project’s contract specifications</p> <p>Prepare a Mitigation Plan to offset impacts to the on-site serpentine herb community and the following three special-status plants species: 1) Colusa layia; 2) serpentine</p>	<p>AOC project manager</p> <p>AOC CEQA project manager</p>	<p>During preparation of contract specifications</p> <p>After development of a site plan and prior to the commencement of construction activities</p>

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	<p>As discussed with California Department of Fish and Game (CDFG) staff, the highest priority for mitigation shall be to avoid and protect the existing on-site populations of the special-status plants to the extent feasible. Secondly, if suitable habitat will be temporarily disturbed but will remain viable in the long term, an effort shall be made to re-establish special-status plant populations in these areas upon completion of construction. If CDFG determines that the available on-site options for plant protection and re-establishment do not fully compensate for the project impacts, off-site mitigation shall be provided. This can be accomplished through preservation or enhancement of off-site serpentine habitats and special-status plant populations, restoration of degraded habitats on other local sites capable of supporting the sensitive resources, creation of new habitats capable of supporting the sensitive resources, and/or purchase of appropriate credits at a qualifying mitigation bank (if available).</p>	<p>cryptantha; and 3) bent-flowered fiddleneck. Tracy's clarkia shall also be avoided/protected where possible.</p>		
		<p>Ensure that the Mitigation Plan is submitted to the California Department of Fish and Game for review, and approved in writing by the California Department of Fish and Game</p>	<p>AOC CEQA project manager</p>	<p>Prior to commencement of construction activities</p>
		<p>Ensure that applicable biological resource measures are enforced during construction</p>	<p>AOC construction inspector</p>	<p>During construction</p>

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	<p>The Mitigation Plan shall be submitted to CDFG for review, and shall be approved in writing by CDFG prior to initiation of construction activities. The Plan shall identify the mitigation site(s); methods to be employed to protect, restore, enhance, and/or create serpentine-herb habitat and the associated special-status plant populations; an implementation schedule; success criteria; monitoring and reporting requirements; long-term maintenance provisions; remedial measures to be undertaken if the success criteria are not fully met; and/or other pertinent data to ensure successful mitigation.</p>			
<p><i>Would the project have a substantial adverse effect on any species identified as a candidate, sensitive, or special-status species?</i></p>	<p>BIO-2: Vegetation removal shall be conducted between August 1 and February 28, if feasible. If vegetation removal must be conducted between March 1 and July 31, a nesting bird survey shall be conducted within two weeks prior to initiation of work. If active nests are present, work within 500 feet of the nest(s) shall be postponed until the young have fledged, unless a smaller next buffer zone is authorized by the California</p>	<p>Incorporate biological resource measures into project's contract specifications</p>	<p>AOC project manager</p>	<p>During preparation of contract specifications</p>
		<p>Ensure that applicable biological resource measures are enforced during construction</p>	<p>AOC construction inspector</p>	<p>During construction</p>

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	Department of Fish and Game.			
CULTURAL RESOURCES				
<i>Would the proposed project cause a substantial adverse change in the significance of a unique archaeological resource pursuant to §15064.5?</i>	CUL-1: If previously unevaluated cultural resources are encountered, all earth-disturbing work shall stop within 50 feet of the find until a qualified archaeologist and a Native American representative can make an assessment of the discovery and recommend/implement mitigation measures as necessary. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or tool making 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-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the archaeologist and Native American representative determine that the resources may be significant,	Incorporate cultural resource measures into project’s contract specifications	AOC project manager	During preparation of contract specifications
		Document incorporation of cultural resource measures into project’s contract specifications to AOC’s environmental analyst	AOC project manager and environmental analyst	Prior to completion of contract specifications
		Document the identity and professional qualifications of qualified archaeological monitor(s) to AOC’s environmental analyst	AOC project manager and environmental analyst	Prior to start of construction
		If an archaeological monitor prepares management recommendations for a discovered resource, the monitor shall document completion of the management recommendations as soon as practical to the AOC’s project	AOC project manager, construction inspector, and environmental analyst	During construction

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	<p>they will notify the AOC. An appropriate treatment plan for the resources should be developed. The archaeologist shall consult with Native American representatives in determining appropriate treatment for prehistoric or Native American cultural resources. In considering any suggested mitigation proposed by the archaeologist and Native American representative, the AOC will determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed in other parts of the project area while mitigation for cultural resources is being carried out.</p>	<p>manager, construction inspector, and environmental analyst</p> <p>Ensure that applicable cultural resource measures are enforced during construction</p>	<p>AOC construction inspector</p>	<p>During construction</p>
<p><i>Would the proposed project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</i></p>	<p>CUL-2: In the event that paleontological resources are discovered during ground disturbing activities, grading and construction work within 100 feet of the find shall be suspended until the significance of the features can be determined by a qualified professional paleontologist</p>	<p>Incorporate paleontological resource measures into project's contract specifications</p> <p>Document incorporation of paleontological</p>	<p>AOC project manager</p> <p>AOC project manager and environmental analyst</p>	<p>During preparation of contract specifications</p> <p>Prior to completion of contract specifications</p>

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	as appropriate. A qualified professional paleontologist shall then make recommendations for measures necessary to protect the find, or to undertake data recovery, excavation, analysis, and curation of paleontological materials as appropriate.	resource measures into project's contract specifications to AOC's environmental analyst		
		Document the identity and professional qualifications of qualified paleontological monitor(s) to AOC's environmental analyst	AOC project manager and environmental analyst	Prior to start of construction
		If a paleontological monitor prepares management recommendations for a discovered resource, the monitor shall document completion of the management recommendations as soon as practical to the AOC's project manager, construction inspector, and environmental analyst	AOC project manager, construction inspector, and environmental analyst	During construction
		Ensure that applicable measures are enforced during construction	AOC construction inspector	During construction
<i>Would the proposed project disturb any human remains,</i>	CUL-3: If human remains are encountered unexpectedly during	Incorporate cultural resource measures into	AOC project manager	During preparation of contract specifications

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<i>including those interred outside of formal cemeteries?</i>	construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the Lake County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission. The Native American Heritage Commission will then identify the person(s) thought to be the Most Likely Descendent, who will help determine what course of action should be taken in dealing with the remains.	project's contract specifications		
		Document incorporation of cultural resource measures into project's contract specifications to AOC's environmental analyst	AOC project manager and environmental analyst	Prior to completion of contract specifications
		If human remains are discovered, the Lake County Coroner shall be contacted immediately, and no further disturbance shall take place	AOC project manager and construction inspector, and environmental analyst	During construction
		Ensure that applicable cultural resource measures are enforced during construction	AOC construction inspector	During construction
NOISE				
<i>Would the project result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</i>	NOI-1: Construction shall commence no earlier than 7:00 a.m. and cease no later than 6:00 p.m. on weekdays. Construction work might occur on Saturdays; if so, it shall commence no earlier than 9:00 a.m. and cease no later than 6:00 p.m.	Incorporate noise measures into project's contract specifications	AOC project manager	During preparation of contract specifications
		Ensure that applicable measures are implemented	AOC construction inspector	During construction
<i>Would the project result in exposure of persons to, or</i>	NOI-2: To reduce noise impacts due to construction, the project applicant	Incorporate noise measures into project's	AOC project manager	During preparation of contract specifications

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<p><i>generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</i></p>	<p>shall require construction contractors to implement the following measures which shall be ongoing through grading and construction:</p> <ul style="list-style-type: none"> • Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds, wherever feasible). • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electronically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a 	<p>contract specification</p> <p>Ensure that applicable noise measures are implemented</p>	<p>AOC construction inspector</p>	<p>During construction</p>

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	<p>reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.</p> <p>Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporated insulation barriers, or other measures to the extent feasible.</p>			
<p><i>Would the project result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</i></p>	<p>NOI-3: Prior to any ground disturbance activities, the AOC shall develop a list of measures to respond to and track complaints pertaining to construction noise, ongoing throughout demolition, grading, and/or construction. These measures shall include the following:</p> <ul style="list-style-type: none"> • A procedure and phone numbers for notifying the AOC project manager and the construction contractor (during regular construction hours and off-hours); • A sign posted on-site pertaining the permitted construction days and hours and complaint 	<p>Incorporate noise measures into project's contract specifications</p>	<p>AOC project manager</p>	<p>During preparation of contract specifications</p>
		<p>Ensure that applicable measures are implemented</p>	<p>AOC construction inspector</p>	<p>During construction</p>

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	<p>procedures and who to notify in the event of a problem. The sign shall also include a listing of the construction contractor's telephone numbers (during regular construction hours and off-hours);</p> <ul style="list-style-type: none"> • The designation of an on-site construction complaint and enforcement manager for the project. The manager shall act as a liaison between the project and its neighbors. The manager's responsibilities and authority shall include the following: <ul style="list-style-type: none"> ○ An active role in monitoring project compliance with respect to noise; ○ Ability to reschedule noisy construction activities to reduce effects on surrounding noise sensitive receivers; ○ Site supervision of all potential sources of noise (e.g., material delivery, shouting, debris box pick-up and delivery) for all trades; and ○ Intervening or discussing mitigation options with 			

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	<p>contractors.</p> <ul style="list-style-type: none"> • Notification of adjacent property owners and occupants at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and • A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed. 			
TRANSPORTATION AND TRAFFIC				
<p><i>Would the proposed project conflict with an applicable plan, ordinance or policy, or congestion management policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not</i></p>	<p>TRANS-1: Prior to occupancy and the operation of the courthouse, the AOC would be required to pay the City of Lakeport the proposed project's fair share contribution towards improving the following intersections: Highway 29 SB Ramps/ Lakeport Boulevard; Highway 29 NB Ramps / Lakeport Boulevard; Bevins Street / Lakeport Boulevard; and Main Street / Lakeport Boulevard.</p>	<p>Incorporate transportation and traffic measures into project's contract specifications</p>	<p>AOC project manager</p>	<p>During preparation of contract specifications</p>
		<p>Ensure that the City of Lakeport receives the proposed project's fair share contribution</p>	<p>AOC project manager and AOC CEQA project manager</p>	<p>Prior to occupancy and the operation of the courthouse</p>

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<i>limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</i>				
<i>Would the proposed project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</i>	TRANS-2: Prior to occupancy and the operation of the courthouse, the AOC would be required to pay the City of Lakeport the proposed project's fair share contribution towards improving the sight distance at the Bevins Street / Lakeport Boulevard intersection.	Incorporate transportation and traffic measures into project's contract specifications	AOC project manager	During preparation of contract specifications
		Ensure that the City of Lakeport receives the proposed project's fair share contribution	AOC project manager and AOC CEQA project manager	Prior to occupancy and the operation of the courthouse
<i>Would the proposed project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</i>	TRANS-3: Prior to occupancy and operation of the courthouse, bus stops shall be constructed immediately east and west of the Larrecou Lane / Lakeport Boulevard intersection per Lake Transit standards, in order to provide direct access from the local bus system and indirect access from the regional bus system to and from the proposed project.	Incorporate transportation and traffic measures into project's contract specifications	AOC project manager	During preparation of contract specifications
		Ensure that bus stops are constructed immediately east and west of the Larrecou Lane / Lakeport Boulevard intersection per Lake Transit standards	AOC project manager and construction inspector	Prior to occupancy and the operation of the courthouse
<i>Would the proposed project conflict with adopted policies, plans, or programs regarding</i>	TRANS-4: Prior to occupancy and operation of the courthouse, high visibility crosswalks shall be installed	Incorporate transportation and traffic measures into	AOC project manager	During preparation of contract specifications

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<p><i>public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</i></p>	<p>to provide safe access for pedestrians to and from the bus stops. In addition, pedestrian access should be provided throughout the proposed project with links to the existing pedestrian pathways and sidewalks.</p>	<p>project's contract specifications</p>		
		<p>Ensure that high visibility crosswalks are installed for pedestrians to and from the bus stops. Ensure pedestrian access is provided throughout the proposed project with links to existing pathways and sidewalks.</p>	<p>AOC project manager and construction inspector</p>	<p>Prior to occupancy and the operation of the courthouse</p>