

Attachment A

County of Monterey, State of California

Resolution No. _____

Board of Supervisors Resolution to:

- a. Adopt a Mitigated Negative Declaration and Initial Study for the Palo Colorado Road Storm Damage Repair Project (Project No. 621071); and
- b. Adopt a Mitigation Monitoring and Reporting Program; and
- c. Ratify the Assumption and Assignment of the Professional Services Agreement between the County and Consor, Inc., and direct staff to proceed with the design of the Palo Colorado Road Storm Damage Repair Project Phase 1B and 2.

The Mitigated Negative Declaration for the Palo Colorado Road Storm Damage Repair Project (Project No. 621071), came before the Board of Supervisors of the County of Monterey on March 19th, 2024. Having considered all the written and documentary evidence, the administrative record, the staff report, and other evidence presented, the Board of Supervisors finds and decides as follows:

FINDINGS

- 1. **FINDING:** **PROJECT DESCRIPTION** – The County of Monterey, Department of Public Works, Facilities and Parks (PWFP) proposes to implement the Palo Colorado Road Storm Damage Repair Project (proposed project). The proposed project includes various repairs, including replacement of damaged asphalt, installation of steel guardrails, installation of retaining walls with either steel soldier pile or soil nail retaining walls, replacement or improvements to existing culverts, and temporary relocation of utility lines, at 63 discontinuous potential work areas along an approximately 4.8-mile segment of Palo Colorado Road. The proposed project also includes the construction of temporary construction storage areas to serve the proposed work areas. The 63 potential work areas include 13 storm damage retaining wall sites and 44 drainage improvement sites, as well as 20 potential construction storage areas.

EVIDENCE: The project plans and related support materials for the proposed project are on file with PWFP.
- 2. **FINDING:** **California Environmental Quality Act (CEQA) (Mitigated Negative Declaration)** - On the basis of the record as a whole before the Board of Supervisors of the County of Monterey (County), there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the

independent judgment and analysis of the County.

- EVIDENCE:**
- a) California Public Resources Code Section 21080.d. and California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations (CCR) Section 15064.a.1. require environmental review if there is substantial evidence that the project may have a significant effect on the environment.
 - b) An Initial Study was prepared pursuant to CEQA. The Initial Study is on file with PWWP and incorporated by this reference.
 - c) 18 mitigation measures were identified to avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.
 - d) All project changes required to avoid significant effects on the environment have been incorporated into the proposed project and/or are made conditions of approval. A Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations, is designed to ensure compliance during project implementation, and attached and incorporated by this reference.
 - e) The Mitigated Negative Declaration (“MND”) for the project was prepared in accordance with CEQA and circulated for public review from October 9, 2023 through November 7, 2023.
 - f) Issues that were analyzed in the MND include: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire Mandatory Findings of Significance.
 - g) To mitigate the physical impacts of the project, the following is a summary of the mitigation measures proposed:

Agricultural and Forest Resources. There are no mitigation measures for agricultural resources and forest resources proposed in the MND. All native trees considered a “significant tree” by the County shall be avoided to the maximum extent practicable. However, if removal of a “significant tree” is necessary, the tree shall be replaced.

Air Quality. The Constructor shall implement measures to minimize construction equipment-generated emissions (MM AQ-1). The contractor shall implement measures to minimize construction-generated dust emissions (MM AQ-2). Prior to initiation of demolition and ground disturbance activities, the County of Monterey shall retain a Certified Asbestos Consultant to conduct a thorough inspection of the roadway and culverts proposed for demolition and removal to determine if asbestos containing material (ACM) is present (MM AQ-3).

Biological Resources. There are Thirteen (13) mitigation measures for Biological Resources are in the proposed MND.

- Construction Best Management Practices (MM BIO-1)
- Biological Monitor (MM BIO-2)
- Environmental Training Session (MM BIO-3)
- Special-Status Plant Surveys (MM BIO-4)

- Foothill Yellow-Legged Frog Preconstruction Survey (MM BIO-5)
- Coast Range Newt Preconstruction Survey (MM BIO-6)
- California Spotted Owl Surveys and Monitoring (MM BIO-7)
- Nesting Birds (MM BIO-8)
- Roosting Bats (MM BIO-9)
- Revegetation/Restoration Plan (MM BIO-10)
- Tree Replacement (MM BIO-11)
- Invasive Species Abatement and Eradication Program (MM BIO-12)
- Regulatory Permits (MM BIO-13)

Cultural Resources. In the event that cultural resources are encountered during project activities, all ground-disturbing activities within a 25-foot radius of the find shall cease and the County of Monterey shall be notified immediately. Work shall not continue until a qualified archaeologist assesses the find and determines the need for further study (MM CR-1).

Noise. For the entire duration of the construction phase of the project, the following noise reduction measures shall be implemented to ensure that noise levels are maintained within levels allowed (MM N-1).

Hazards and Hazardous Materials. Implement MM BIO-1 and MM BIO-13.

Tribal Cultural Resources. Implement MM CR-1.

Utilities and Service Systems. Implement Mitigation Measures AQ-1 through AQ-3, BIO-1 through BIO-13, CR-1, and N-1.

Mandatory Findings of Significance. By implementing all the mandatory findings, all potential impacts associated with the construction and operation of the proposed project would be mitigated to less-than-significant levels.

- h) Evidence that has been received and considered includes: the application, and technical studies/reports staff reports that reflect the County's independent judgment. These documents are on file with the Public Works, Facilities and Parks Department and are hereby incorporated by this reference.
- i) Comment letters were received during the circulation period of the initial study and mitigated negative declaration. The issues raised in the comment letters have been reviewed and do not require the project mitigations to be changed or modified.
- j) The Public Works, Facilities and Parks Department, located at 1441 Schilling Place, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative

declaration is based.

DECISION

NOW, THEREFORE, BASED ON THE ABOVE FINDINGS AND EVIDENCE, BE IT RESOLVED, that the Board of Supervisors does hereby:

- a) Adopt a Mitigated Negative Declaration for the Palo Colorado Road Repair Project from milepost 2.8 to 7.8, Project No. 6210: and
- b) Adopt a Mitigation Monitoring and Reporting Plan, attached hereto as Exhibit A and incorporated by reference; and
- c) Ratify the Assumption and Assignment of the Professional Services Agreement between the County and Consor, Inc., and direct staff to proceed with the design of the Palo Colorado Road Repair Project Phases 1B and 2.

PASSED AND ADOPTED on this 19th day March 2024, upon motion of Supervisor _____, seconded by Supervisor _____, by the following vote, to-wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original resolution of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____, for the meeting on _____.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy

**Palo Colorado Road Storm Damage Repair Project
 Mitigation Monitoring and Reporting Program**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
<i>Air Quality</i>				
MM AQ-1	The following measures shall be implemented and shown on project specifications to minimize construction equipment-generated emissions: <ol style="list-style-type: none"> 1. Substitute alternative fueled or catalyst equipped diesel construction equipment, when available. 2. Minimize idling time to not exceed 5 minutes, to the maximum extent feasible. 3. Minimize the hours of operation of heavy-duty equipment and/or the amount of equipment in use to the greatest extent feasible. 4. Replace fossil-fueled equipment with electrically driven equivalents (provided they are not run through a portable generator set) when available. 5. Implement activity management (e.g., reschedule activities to reduce short-term impacts). 	The Construction Contractor shall implement the identified measures as shown on project specifications	Prior to issuance of construction permits and during construction	Construction Contractor, County of Monterey
MM AQ-2	The following measures shall be implemented and shown on project specifications to minimize construction-generated dust emissions: <ol style="list-style-type: none"> 1. Water unpaved construction areas as needed. Frequency should be based on the type of operation, soil, and wind exposure. 2. Prohibit all grading activities during periods of high wind (over 15 miles per hour). 3. Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days). 4. Hydroseed exposed areas after cut and fill operations. 5. Haul trucks shall maintain at least 2 feet of freeboard. 6. Cover all trucks hauling dirt, sand, or loose materials. 7. Cover inactive storage piles. 8. Install wheel washers at the entrance to construction sites for all exiting trucks. 9. Pave all roads on construction sites. 10. Sweep streets if visible soil material is carried out from the construction site. 11. Post a publicly visible sign that specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay 	The Construction Contractor shall implement the identified measures as shown on project specifications	Prior to issuance of construction permits and during construction	Construction Contractor, County of Monterey

*Palo Colorado Road Storm Damage Repair Project
Mitigation Monitoring and Reporting Program*

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
MM AQ-3	<p>Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance).</p> <p>Prior to initiation of demolition and ground disturbance activities, the County of Monterey shall retain a Certified Asbestos Consultant to conduct a thorough inspection of the roadway and culverts proposed for demolition and removal to determine if asbestos-containing material (ACM) is present. If asbestos is determined to be present within the materials proposed for demolition and/or removal, proposed activities shall be conducted in accordance with the requirements stipulated in the National Emission Standards for Hazardous Air Pollutants (NESHAP) (40 Code of Federal Regulations 61, Subpart M – Asbestos).</p>	<p>County of Monterey shall retain a Certified Asbestos Consultant</p>	<p>Prior to initiation of demolition and ground disturbance activities</p>	<p>County of Monterey</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
<i>Biological Resources</i>				

MM BIO-1	<p>Construction Best Management Practices. The County of Monterey (County) shall follow the applicable Best Management Practices (BMPs) as outlined in their Construction BMPs Handbook (Monterey Sea 2015). At a minimum, these BMPs will include the following:</p>	<p>The Construction Contractor shall implement the identified best management practices</p>	<p>During construction activities</p>	<p>County of Monterey</p>
	<ol style="list-style-type: none"> 1. Prior to project implementation, the project area shall be clearly flagged or fenced so that the contractor is aware of the limits of allowable site access and disturbance. Areas within the designated project site that do not require regular access shall be clearly flagged as off-limit areas to avoid unnecessary damage to sensitive habitats or existing vegetation within the project area. 2. Prior to project implementation, a project Erosion Control Plan shall be prepared. During project activities, erosion control measures shall be implemented. Silt fencing, fiber rolls, and barriers (e.g., hay bales) shall be installed to establish a minimum 25-foot setback distance between the project impact areas and adjacent waters. At a minimum, silt fencing shall be checked and maintained on a weekly basis throughout the construction period. 3. Prior to construction, the County or the County's Contractor shall prepare a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall identify the selected stormwater management procedures, pollution control technologies, spill response procedures, and other means that will be used to minimize erosion and sediment production and the release of pollutants to surface water during construction. The County shall ensure that sedimentation and erosion control measures are installed prior to any ground-disturbing activities. 4. Prior to the commencement of site preparation, ground-disturbing, or construction activities, the County will identify required BMPs on all construction plans. These BMPs will be implemented prior to, during, and following construction activities as necessary to ensure their intended efficacy. Measures will include, but not necessarily be limited to, the placement of silt fencing along the down-slope side of the construction zone, on-site storage of a spill and clean-up kit at all times, and employment of both temporary and permanent erosion and sedimentation control measures (e.g., silt fencing, hay bales, straw wattles). 5. Prior to construction, the County shall ensure preparation and implementation of a Spill Prevention and Contingency Plan that includes provisions for avoiding and/or minimizing impacts to sensitive habitat areas, including wetland and riparian areas and waterbodies due to equipment-related spills during project implementation. The County shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the County shall ensure that the plan allows a prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measure to take should a spill occur. The plan shall include the following provisions: <ol style="list-style-type: none"> 1. All equipment fueling shall be conducted within the designated construction storage areas of the project site. Such areas shall consist of roadway or ruderal habitat. At no time shall any equipment fueling be conducted within 100 feet of any riparian habitat area. 2. An overview of the containment measures to appropriately store and contain all fuels and associated petroleum products during the project 			

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	shall be included in the plan. This shall include provisions for equipment staging and storage areas, such as the need for drip pans underneath parked equipment and designated storage areas for fuel dispensing.			
MM BIO-2	Biological Monitor. A qualified biological monitor(s) will ensure compliance with avoidance and minimization measures within the project environmental documents. Full-time monitoring shall occur during vegetation removal and initial ground disturbance, installation of temporary Environmentally Sensitive Areas (ESA) fencing in any areas described above as being sensitive, and installation of temporary erosion control. Monitoring may be reduced to part time once construction activities are underway and the potential for additional impacts is reduced.	County of Monterey shall retain a qualified biological monitor(s)	Prior to initiation of demolition and ground disturbance activities	County of Monterey
MM BIO-3	Environmental Training Session. Prior to initial ground disturbance, a qualified biologist shall conduct an environmental training session for all construction and maintenance personnel. At a minimum, the training shall include a description of the special-status species that may occur in the project area, their habitat requirements, and the measures being implemented to avoid and minimize impacts to these species. The environmental training shall include a discussion of the boundaries behind which the workers and equipment must remain.	A qualified biologist shall conduct an environmental training session	Prior to initial ground disturbance	County of Monterey
MM BIO-4	Special-Status Plant Surveys. Several special-status plant species have the potential to occur within the project area; however, these species may be unlikely to occur in areas of direct ground disturbance. Appropriately timed surveys for special-status plants will be conducted by a qualified biologist prior to the start of construction to identify the location of any special-status plant species within the areas of proposed disturbance. If found, any special-status plant species will be flagged and avoided. If federally or state-listed plant species are found, construction will stop in those immediate work areas and either the U.S. Fish and Wildlife Service or California Department of Fish and Wildlife shall be contacted for further guidance. If other special-status plant species are found and populations cannot be avoided, the County of Monterey shall include restoration of populations of these species in the revegetation/restoration plan required in Mitigation Measure BIO-10. Impacts to special-status plant species with a California Rare Plant Rank (CRPR) of 1 to 3 shall be restored at a ratio of 2:1. For special-status plant species with a CRPR of 4, unavoidable impacts of 10% or more of each occurrence shall be restored at a 1:1 ratio. Additionally: <ol style="list-style-type: none"> 1. Prior to grading, plant and seed material shall be salvaged and used to enhance or establish populations in protected habitat areas. 2. The revegetation/restoration plan shall establish a mitigation receptor site for the long-term storage of salvaged material. 	Appropriately timed surveys for special-status plants will be conducted by a qualified biologist and survey results shall be submitted to the County of Monterey	Prior to the start of construction	County of Monterey

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
MM BIO-5	<p>Foothill Yellow-Legged Frog Preconstruction Survey. A U.S. Fish and Wildlife Service (USFWS)-approved biologist will conduct a preconstruction survey for foothill yellow-legged frog (FYLF) in Work Areas 22, 23 24, 25, 49, and 50 where construction will occur within the riparian areas of Turner and Mill Creeks. Because the species is only proposed for federal listing and no federal survey guidance is available, surveys for FYLF shall follow the recommendations (considered non-protocol) of the California Department of Fish and Wildlife (CDFW) <i>Considerations for Conserving the Foothill Yellow-legged Frog</i> (CDFW 2018). In the unlikely event that FYLF is observed during preconstruction surveys, the USFWS will be notified. After negative preconstruction survey findings, in the unlikely event that FYLF is observed during monitoring of construction, all construction activities shall cease within 500 feet of the observed location and the County of Monterey shall coordinate with USFWS to determine if further action is required.</p>	<p>A U.S. Fish and Wildlife Service-approved biologist shall conduct a preconstruction survey for foothill yellow-legged frog and survey results shall be submitted to the County of Monterey</p>	<p>Prior to the start of construction</p>	<p>County of Monterey</p>
MM BIO-6	<p>Coast Range Newt Preconstruction Survey. A qualified biologist shall conduct a preconstruction survey for Coast Range newt within the Redwood and Oak Forest and Woodland immediately prior to construction. The preconstruction survey shall include looking under downed logs and in leaf litter for estivating adults. If a Coast Range newt is found in the project area immediately prior to or during project activities, the newt shall be allowed to move out of the area of its own volition. If this is not feasible, the newt shall be captured by a qualified biologist and relocated out of harm's way to the nearest suitable habitat at least 100 feet away from the project site in a damp location preferably adjacent to Turner or Mills Creeks if nearby.</p>	<p>A qualified biologist shall conduct a preconstruction survey for Coast Range newt and survey results shall be submitted to the County of Monterey</p>	<p>Prior to the start of construction</p>	<p>County of Monterey</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
MM BIO-7	<p>California Spotted Owl Surveys and Monitoring. The following measures shall be implemented prior to and throughout construction activities to avoid and minimize impacts to California spotted owl (CSO):</p> <ol style="list-style-type: none"> 1. No continuous noise greater than 90 decibels (dB) for more than 2 hours will occur within a 0.25-mile buffer of any un-surveyed nesting/roosting or foraging habitat or current (within 5 years) occupied (reproductive) territory from February 1 through July 9, unless surveys determine the site to be unoccupied or the owls to be non-nesting. The County of Monterey (County) may propose reduced buffers for work in areas with moderate to high ambient (existing pre-project) noise levels based on <i>Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California</i> (U.S. Fish and Wildlife Service [USFWS 2020a]) and the California Department of Fish and Wildlife (CDFW) will review the proposed changes to determine if they are acceptable. There is no restriction on noise less than 90 dB, and no noise restriction from July 10 through January 31. 2. No trees greater than 26 inches diameter at breast height (DBH) will be removed unless the tree removal is within the County right-of-way and is determined by a qualified biologist, in concurrence with the CDFW, to not be a suitable nest tree(s) for CSO (e.g., the tree is not located within suitable CSO nest habitat based on observed stand structure, canopy cover, etc.) or is not an active nest tree. 3. If work is proposed during the breeding season that will require continuous noise greater than 90 dB, protocol-level surveys (following the northern spotted owl survey protocol [USFWS 2012]) shall be conducted and approved by the CDFW to assure absence of nesting/roosting CSOs within suitable nesting/roosting or foraging habitat. 4. If after protocol-level surveys CSOs are determined to be present within 0.25 mile of a work area, and continuous noise greater than 90 dB cannot be avoided during the nesting season, the County shall consult with the USFWS and CDFW, if applicable, and follow all additional protection and mitigation measures required. These may include, but are not limited to, continuous monitoring, additional owl surveys, spot checks, and compensatory mitigation. 	<p>The Construction Contractor shall implement the identified measures</p>	<p>Prior to and during construction activities</p>	<p>County of Monterey</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
MM BIO-8	<p>Nesting Birds. The County of Monterey (County) shall require the construction contractor to avoid vegetation removal and trimming during the breeding season for birds (i.e., February 15–September 15) to the extent practicable. This shall discourage birds from nesting in construction areas and greatly reduce the potential for nesting birds to delay the construction schedule. If vegetation removal and trimming cannot be avoided during the breeding season, then the following measures shall be implemented:</p> <ol style="list-style-type: none"> 1. All suitable nesting habitat within 50 feet of the work limits shall be surveyed by a qualified biologist no more than 14 days prior to ground-disturbing/vegetation removal activities and again within 2 days (48 hours) of such activities. Areas outside the public right-of-way (ROW) shall not be surveyed for active nests unless such areas are visible from the public ROW. 2. If an active nest is found, a qualified biologist shall delineate an appropriate buffer using plastic construction fencing (Environmentally Sensitive Areas [ESA] fencing), pin flags, or other easily identified fencing material. If necessary, the biologist shall consult with the U.S. Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW) to determine an appropriate buffer size. Typically, buffers range from 250 to 500 feet, depending on the species and the location of the nest. However, smaller buffers have been accepted depending on the species, nest location, surrounding habitat, and the nature of the adjacent construction activity. During construction, the qualified biologist shall conduct regular monitoring (at CDFW-approved intervals) to evaluate the nest for potential disturbances associated with construction activities. Construction within the buffer shall be prohibited until the qualified biologist determines the nest is no longer active. 3. If an active nest is found after completion of the preconstruction surveys and after construction begins, all construction activities in the nest vicinity shall stop until a qualified biologist has evaluated the nest and erected an appropriate buffer around the nest. If establishment of the buffer is not feasible, the USFWS and/or CDFW shall be contacted for further avoidance and minimization guidelines. 	<p>If vegetation removal and trimming cannot be avoided during the breeding season, then the identified measures shall be implemented</p>	<p>During the breeding season for birds (i.e., February 15–September 15); Prior to construction activities</p>	<p>County of Monterey</p>
MM BIO-9	<p>Roosting Bats. During tree removal, a qualified biologist shall be present to ensure that all limbs and trees are left in place overnight after being cut to allow time for bats to leave the trees during the night. Trees and limbs can be removed from the project site the following day.</p>	<p>A qualified biologist shall be present</p>	<p>During tree removal</p>	<p>County of Monterey</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
MM BIO-10	<p>Revegetation/Restoration Plan. Prior to the start of construction, the County of Monterey shall prepare a revegetation/restoration plan to restore sensitive natural communities and riparian vegetation impacted by the proposed project. The revegetation/restoration plan shall be approved by the California Department of Fish and Wildlife (CDFW) as part of the Lake and Streambed Alteration Agreement required as part of Mitigation Measure BIO-13. The plan shall specify the use of native tree species that were impacted during construction. Native trees will be of nursery stock from the local area and/or cuttings taken from within the project area. Redwood Forest and Woodland, California Bay Forest and Woodland, Eastwood Manzanita Chaparral Shrubland Alliance, and Brittle Leaf – Woolly Leaf Manzanita Chaparral Shrubland Alliance shall be restored at a 2:1 ratio of habitat restored to habitat lost. For the Redwood Forest and Woodland and California Bay Forest and Woodland Alliances, trees shall be replaced at the following ratios:</p> <ol style="list-style-type: none"> 1. At a 1:1 ratio for upland trees with a diameter at breast height (DBH) between 6 and 24 inches. 2. At a 3:1 ratio for riparian trees with a DBH between 6 and 12 inches. 3. At a 10:1 ratio for riparian trees with a DBH greater than 12 inches or Landmark trees in upland areas with a DBH larger than 24. <p>If special-status plant populations are impacted by the project, the restoration plan shall specify criteria for reestablishing populations and designating a mitigation receptor site for the long-term storage of salvaged material</p>	<p>The County of Monterey shall prepare a revegetation/restoration plan for approval by the California Department of Fish and Wildlife</p>	<p>Prior to the start of construction</p>	<p>County of Monterey, California Department of Fish and Wildlife</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
MM BIO-11	<p>Tree Replacement. All native trees considered a “significant tree” by the County of Monterey (6 inches or more in diameter 2 feet above ground level) shall be avoided to the maximum extent practicable through redesigning the project grading footprint. However, if removal of a “significant tree” is necessary, the tree shall be replaced at the following ratios:</p> <ol style="list-style-type: none"> 1. At a 1:1 ratio for upland trees with a diameter at breast height (DBH) between 6 and 24 inches. 2. At a 3:1 ratio for riparian trees with a DBH between 6 and 12 inches. 3. At a 10:1 ratio for riparian trees with a DBH greater than 12 inches or Landmark trees in upland areas with a DBH larger than 24. <p>The location of replacement plantings shall be on-site, to the maximum extent practicable, and closely associated with existing habitats for the purposes of providing continuity with the existing forest and woodland habitat. If on-site mitigation is not feasible, off-site locations may be acceptable if they are located within the same watershed. Compensatory mitigation shall be implemented immediately following project completion. Compensatory mitigation plantings shall be monitored on a quarterly basis. Any required maintenance shall also occur on a quarterly basis. Maintenance activities will include weeding, debris removal, replanting (if necessary), repair of any vandalism, fertilizing, and/or pest control and will be dictated by the results of the quarterly monitoring effort. Supplemental water shall be provided for no more than 3 years after planting. The annual monitoring report submitted at Year 5 shall serve as a final completion report should the mitigation be successful. Tree replacement efforts shall achieve 75% success at the end of a 5-year period and require no further maintenance for survival.</p>	<p>All native trees considered a “significant tree” by the County of shall be avoided to the maximum extent practicable. However, if removal of a “significant tree” is necessary, the tree shall be replaced.</p>	<p>During and following construction</p>	<p>County of Monterey</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
MM BIO-12	<p>Invasive Species Abatement and Eradication Program. Prior to the start of construction, the County of Monterey (County) shall ensure the preparation and approval of an invasive species abatement and eradication program to be implemented during construction. The invasive species abatement and eradication measures shall be included in the project design and contract specifications. At a minimum, the abatement and eradication measures shall include:</p> <ol style="list-style-type: none"> 1. The construction contractor shall inspect and clean construction equipment at the beginning and end of each day and prior to transporting equipment from one project location to another and between work areas and staging areas. 2. Soil and vegetation disturbance shall be minimized to the greatest extent feasible. 3. Soil/gravel/rock shall be obtained from weed-free sources. 4. All invasive plant material removed during construction shall be disposed of properly in a landfill or other suitable facility where it can be chipped and composted to prevent spreading viable seeds or propagules that could take root on another site. 5. Only certified weed-free straw, mulch, and/or fiber rolls shall be used for erosion control. 6. Prior to completion of construction, disturbed areas adjacent to native vegetation shall be revegetated with plant species that are native to the vicinity and approved by the County. 7. The use of species listed in the California Invasive Plant Council (Cal-IPC) Invasive Plant Inventory that have a high or moderate rating in revegetated areas shall be prohibited. 8. Eradication procedures (e.g., spraying and/or hand weeding) shall be implemented should an infestation occur. 9. The use of herbicides shall be prohibited within and adjacent to native vegetation, except as specifically authorized and monitored by the County. 	<p>The County of Monterey shall ensure the preparation and approval of an invasive species abatement and eradication program</p>	<p>Prior to and during construction</p>	<p>County of Monterey</p>
MM BIO-13	<p>Regulatory Permits. Prior to construction, if required, the County of Monterey (County) shall obtain a Section 404 permit (anticipated to be Nationwide Permit 14 for linear transportation projects) from the U.S. Army Corps of Engineers, a Section 401 Certification and/or Waste Discharge Requirement from the Regional Water Quality Control Board, a Section 1602 Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife, and a Coastal Development Permit or waiver from the California Coastal Commission/applicable Local Coastal Programs. The County shall comply with any additional protection and mitigation measures required by the regulatory agencies.</p>	<p>The County of Monterey shall obtain proper permitting</p>	<p>Prior to construction, if required</p>	<p>County of Monterey, Appropriate regulatory agencies</p>
Cultural Resources				
MM CR-1	<p>In the event that cultural resources are encountered during project activities, all ground-disturbing activities within a 25-foot radius of the find shall cease and the County of</p>	<p>Cease ground disturbing activities and</p>	<p>In the event that cultural resources</p>	<p>Construction Contractor,</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	Monterey shall be notified immediately. Work shall not continue until a qualified archaeologist assesses the find and determines the need for further study. If the find includes Native American-affiliated materials, a local Native American tribal representative will be contacted to work in conjunction with the approved archaeologist to determine the need for further study. A standard inadvertent discovery clause shall be included in every grading and construction contract to inform contractors of this requirement.	immediately notify County of Monterey	are encountered during project activities; during ground disturbance activities on the project site	County of Monterey
Noise				
MM N-1	<p>For the entire duration of the construction phase of the project, the following noise reduction measures shall be implemented to ensure that noise levels are maintained within levels allowed by Chapter 10.60 (Noise Control) of the Monterey County Municipal Code:</p> <ol style="list-style-type: none"> 1. Stationary construction equipment that generates noise that exceeds 65 A-weighted decibels (dBA) at the project boundaries shall be shielded with the most modern noise control devices (i.e., mufflers, lagging, and/or motor enclosures). 2. Impact tools (e.g., jackhammers, pavement breakers, rock drills, etc.) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. 3. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. 4. All construction equipment shall have the manufacturers' recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational. 5. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers, shrouding, etc.). 6. Construction activities shall be limited to the hours between 7:00 a.m. and 9:00 p.m., Monday through Sunday. No movement of heavy equipment shall occur on official holidays (e.g., Thanksgiving, Labor Day). 7. The project contractor shall inform residents at properties within 300 feet of the project of proposed construction timelines and noise compliant procedures to minimize potential annoyance related to construction noise. 	The Construction Contractor shall implement the identified noise reduction measures shall be implemented	During construction	Construction Contractor, County of Monterey

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