

Before the Board of Supervisors in and for the County of Monterey, State of California

Resolution No. \_\_\_\_\_

- Adopt a Resolution to:
a. Adopt a Mitigated Negative Declaration for the Robinson Canyon Road Bridge Scour Repair Project County Bridge No. 503 (Project No. 3851, State Project No. 05930265L, Federal Aid Project No. BRLO-5944 (099);
b. Adopt a Mitigation Monitoring and Reporting Program.
c. Authorize Resource Management Agency (RMA) to proceed with the Robinson Canyon Road Bridge Scour Repair Project County; and
d. Authorize the RMA Director or the RMA Deputy Director of Public Works, Parks & Facilities to acquire Right of Way for the Robinson Canyon Road Bridge Scour Repair Project.....

The Mitigated Negative Declaration for the Robinson Canyon Road Bridge Scour Repair Project County came before the Monterey County Board of Supervisors on April 17, 2018. 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 Resource Management Agency (RMA) – Public Works, Parks & Facilities proposes to implement the Robinson Canyon Road Bridge Scour Repair Project (proposed project) to address existing scour issues by installing scour protection on the substructure of the Robinson Canyon Road Bridge (Bridge No. 44C-0017). The existing bridge was constructed over the Carmel River in 1971, and is located approximately 0.1 mile south of Carmel Valley Road and less than 0.1 mile north of Old Ranch Road in unincorporated Monterey County. The existing bridge is 303 ft. long and 35 ft., 4 inches wide. The existing bridge is a three-span bridge with two piers (Pier 2 and 3) and two abutments (Abutment 1 and 4). The proposed project would implement scour countermeasures at Abutment 1, Pier 2 and Pier 3. The proposed project would not require the construction of new infrastructure or modifications to the existing roadway. For purpose of the findings contained in this resolution, the “project” is as described above.

EVIDENCE: The project plans and related support materials contained in the project are on file with the Monterey County Resource Management Agency

(RMA).

2. **FINDING:** **California Environmental Quality Act (CEQA) (Mitigated Negative Declaration)** - On the basis of the whole record before the Monterey County Board of Supervisors, 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) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines 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 in the offices of the RMA and is hereby incorporated by reference.
  - c) 54 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 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 is hereby attached hereto and incorporated herein by reference.
  - e) The Mitigated Negative Declaration (“MND”) for the project was prepared in accordance with CEQA and circulated for public review from February 8, 2018 through March 12, 2018 (SCH#: 2018021013).
  - f) Issues that were analyzed in the MND include: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, noise, transportation/traffic, tribal cultural resources, and 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. Prior to construction, County of Monterey RMA shall ensure that the project plans incorporate details regarding the restoration of land to its original condition, within the timeframe specified by the project plans following the completion of project construction. The party responsible for implementing restoration activities shall also be included in the project plans.

**Air Quality.** The Construction Contractor, in coordination with County of Monterey RMA, shall ensure, per the MBARD *CEQA Air Quality Guidelines*, that the following dust mitigation measures be implemented during construction:

- The construction contractor shall water all active construction sites as least twice daily. Frequency shall be based on the type of operation, soil, and wind exposure.

- Prohibit all grading activities during periods of high wind (over 15 mph).
- The construction contractor shall apply nontoxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed the area.
- Haul trucks shall maintain at least two (2) feet of freeboard above ground surface.
- The construction contractor shall cover all trucks hauling dirt, sand, or loose materials.
- Install wheel washers at entrances to the construction site for all exiting trucks.
- The construction contractor shall plant vegetative ground cover in disturbed areas as soon as possible.
- The construction contractor shall cover inactive storage piles.
- The construction contractor shall sweep streets if visible soil material is carried out from the construction site.
- Limit the area under construction at any one time.

**Biological Resources.** Seven (7) mitigation measures for Biological Resources are in the proposed MND.

The Construction Contractor shall hire a qualified biologist to conduct a pre-construction survey of the BSA for Congdon's Tarplant during the blooming period (May to November) prior to ground disturbance and/or vegetation clearing. If individuals or a population is found, a maximum five (5) foot buffer will be established using Environmentally Sensitive Area (ESA) fencing. If the population is within the impact area and would be removed, the County of Monterey RMA will consult with the California Department of Fish and Wildlife (CDFW) to salvage the plant or seeds prior to removal.

Prior to initial ground disturbance, the 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 BSA, 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.

Following construction, the river channel will be returned to its original contour and condition to the greatest extent possible. All constructed ramps into the creek channel for the temporary construction access road, construction mats, and other temporary material used for construction will be removed. Vegetation native to the area will be used to the extent possible.

Immediately before initial ground disturbance and/or vegetation clearing in the Carmel River Channel, the qualified biologist shall

conduct a survey of the work area for special status species. If special status species are found, they shall be allowed to leave the work area on their own or, if approved by the USFWS and/or CDFW, the special status species shall be relocated by the biologist to a safe place outside the work area.

During project construction, a qualified biologist shall permanently remove individuals of nonnative wildlife species. Invasive wildlife species (e.g., bullfrogs, crayfish, and centrarchid fish) will be removed from the project area and dispatched humanely if they are found during surveys or monitoring activities.

The County of Monterey RMA shall require the construction contractor to implement an invasive species abatement and eradication program during construction. The invasive species abatement and eradication measures shall be included in the project design and contract specifications.

County of Monterey RMA shall require the construction contractor to avoid vegetation removal and trimming during the breeding season for birds (i.e., between February 15 and August 31) to the extent practicable. This shall discourage birds from nesting in construction areas and shall greatly reduce the potential for nesting birds to delay the construction schedule.

**Cultural Resources.** During construction, if cultural, archaeological, historical, or paleontological resources are encountered (surface or subsurface resources), work shall be halted immediately within 50 meters (165 ft) of the find until a qualified professional archaeologist can evaluate it. The County of Monterey RMA-Public Works & Facilities and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) and paleontologist shall be immediately contacted by the responsible individual present on site. When contacted, the project manager, the archaeologist and paleontologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery (California Code of Regulations, Title 14, Chapter 3, Section 15064.5(f)).

During construction, consistent with the requirements of California Health and Safety Code Section 7050.5, if human remains are discovered on site, no further disturbance shall occur until the Monterey County Coroner can evaluate them. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of identification. Pursuant to Section 5097.9 and 5097.993 of the California Public Resources Code, 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 any associated grave goods.

**Hazards and Hazardous Material.** Prior to commencement of

construction activities, the construction contractor shall prepare an emergency response and cleanup plan. The construction contractor shall implement the plan during construction. The plan shall detail the methods to contain and clean up spill of petroleum products or other hazardous materials in the work area.

During construction, the construction contractor shall ensure that all equipment maintenance and refueling is conducted outside of the Carmel River channel, on level ground, away from concentrated flows of storm water and drainage courses. Drip pans or absorbent pads shall be used during equipment refueling and maintenance activities. Adequate quantities of absorbent spill clean-up material and spill kits shall be kept in the refueling and maintenance area and on fuel trucks. Spill clean-up and materials shall be disposed of immediately after use.

Prior to demolition, the construction contractor, in coordination with County of Monterey RMA and Caltrans, will develop a lead abatement program for the proper removal, handling, and disposal of surfaces containing lead based paint (LBP) that are identified in the Asbestos and Lead-Containing Paint Assessment, Pesticides and Total Lead in Soils Survey Report. The contractor shall follow all applicable regulations of the Cal-OSHA Lead in Construction Standard (Title 8, California Code of Regulations, Section 1532.1). Demolition activities associated with flame torch cutting, high speed rotary saw cutting and demolition consisting of high impact or abrasion activities are considered "Trigger Tasks" as per Cal-OSHA. Therefore, the demolition contractor must ensure that the workers performing these activities are not exposed to airborne lead concentrations (fumes or dusts) in excess of the action level or permissible exposure limit. Workers who are not trained in lead safe work practices or are not lead awareness trained shall not disturb any LBP coated surface.

Prior to completion of plans, specifications, and estimates (PS&E) and any work within or involving surface waters, County of Monterey RMA shall ensure that a Phase II investigation be conducted to properly characterize surface water quality in the project area. The surveys shall be conducted by a licensed consultant and shall include testing of surface water at the project site. The results of the survey will determine the recommendations for proper handling requirements in the event of worker contact with surface waters during construction.

**Hydrology Water Quality.** Prior to the start of construction, a waiver shall be obtained for the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) Order No. 2009-0009-DWQ. To obtain a waiver, County of Monterey RMA or its designated contractor shall complete the electronic Notice of Intent and Sediment Risk form through the State Water Resources Control Board (SWRCB) Stormwater Multi-Application Reporting and Tracking System (SMARTS) and certify that the construction activity will take place during a period when the value of the rainfall erosivity factor ("R" in

the Revised Universal Soil Loss Equation) is less than five (5).

If construction activities continue beyond the projected completion date provided on the waiver certification, the County of Monterey (County) or its designated contractor shall recalculate the rainfall erosivity factor for the new project duration and submit the new construction schedule through SMARTS thirty (30) days prior to the projected completion date listed on the original waiver. If the new R factor is below five (5), the discharger shall update, through SMARTS, all applicable information on the waiver certification and retain a copy of the revised waiver on site. If the new R factor is greater than five (5), the County shall apply for coverage under the Construction General Permit.

If the construction schedule changes during final design and the resulting R factor is greater than five (5), the County shall apply for coverage under the Construction General Permit. Construction activities shall not commence until a waiver or coverage under the Construction General Permit has been obtained from the SWRCB.

Prior to the start of construction, the County of Monterey RMA - Public Works, Parks & Facilities shall ensure that the construction contractor prepares and implements a stormwater pollution prevention plan (SWPPP) to address all construction related activities, equipment, and materials that have the potential to impact water quality. The SWPPP shall identify the sources of pollutants that may affect the quality of storm water and include best management practices (BMPs) to control the pollutants (e.g., Sediment Control, Erosion Control, and Good Housekeeping BMPs).

During the PS&E phase, an Erosion Control Plan shall be prepared and implemented by the County of Monterey RMA or its designated contractor in compliance with the provisions of the Monterey County Erosion Control Ordinance (Monterey County Code) Code, Title 16, Chapter 16.12). The Erosion Control Plan shall indicate the proposed methods for the control of runoff, erosion, and sediment movement during project construction.

**Noise.** The construction contractor shall ensure compliance with Monterey County General Plan Policy S-7.9 by ensuring no construction activities occur within 500 feet of sensitive receptors during the nighttime hours of 7:00 p.m. to 7:00 a.m. The construction contractor shall use an alternative warning method instead of a sound signal unless required by safety laws. Also, the contractor shall equip all internal combustion engines with the manufacturer's recommended mufflers and shall not operate any internal combustion engines on the job site without an appropriate muffler.

Temporary construction barriers, providing a maximum of 10 dBA reduction, shall be required when heavy construction activities occur within 70 feet of the residence at 15 Hartnell Road.

**Transportation/Traffic.** Prior to construction, the construction

contractor shall be required to submit a Traffic Management Plan (TMP) to the County of Monterey RMA or appropriate designee for review and approval. During construction, the County shall require the Construction Contractor to adhere to all requirements of the TMP. The TMP shall include the following: installation of detour signs, notices of road closures in local media, and advance notice to the public and local emergency service providers regarding the timing, location, and duration of construction activities.

**Tribal Cultural Resources.** Prior to construction, the County of Monterey RMA shall contact the Ohlone Costanoan Esselen Nation (OCEN) and request that it submit the name of the designated monitor. The designated OCEN monitor shall be on site during all ground disturbing activities.

Should a tribal cultural resource be encountered during ground disturbing activities, all ground disturbing activities within 25 feet shall be redirected and the Ohlone Costanoan Esselen Nation (OCEN) monitor shall assess the resource, consult with the County of Monterey, and make recommendations for the treatment of the discovery. The County shall be notified by the OCEN monitor within 24 hours of the encounter. If found to be significant by the OCEN monitor, the County shall be responsible for implementing and funding appropriate mitigation measures. Mitigation measures may include, but would not be limited to, recording the tribal cultural resource, data recovery and analysis, and public outreach. Upon completion of the selected mitigations, a report documenting methods, findings, and recommendations shall be prepared by the OCEN monitor and submitted to the County of Monterey RMA for review. Any artifacts or significant tribal cultural resources discovered during ground disturbing activities shall be given to an OCEN tribal representative.

**Mandatory Findings of Significance.**

Staff analysis contained in the Initial Study and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the California Department of Fish and Wildlife (CDFW) regulations. All projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the CDFW determines that the project will have no effect on fish and wildlife resources. The site supports Robinson Canyon Road Bridge Scour Repair Project. For purposes of the Fish and Game Code, the project may have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. The Initial Study was sent to the CDFW for review, comment, and to recommend necessary conditions to protect biological resources in this area. Therefore, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination

- 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

RMA and are hereby incorporated by this reference.

- i) Two (2) comment letters were received during the circulation period of the initial study and mitigated negative declaration. The issues raised in the letters have been reviewed and do not require the mitigations to be changed or modified.
- j) The RMA, 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 Robinson Canyon Road Bridge Scour Repair Project, County Bridge No. 503 (Project No. 3851, State Project No. 05930265L, Federal Aid Project No. BRLO-5944 (099));
- b) Adopt a Mitigation Monitoring and Reporting Plan, attached hereto as Exhibit A and incorporated by reference;
- c) Authorize the Resource Management Agency (RMA) to proceed with the Robinson Canyon Road Bridge Scour Repair Project; and
- d) Authorize the RMA Director or the RMA Deputy Director of Public Works, Parks & Facilities to acquire Right of Way for the Robinson Canyon Road Scour Repair Project.

**PASSED AND ADOPTED** on this 15<sup>th</sup> day of May, 2018, upon motion of Supervisor, seconded by Supervisor, by the following vote, to-wit:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

I, Nicholas E. Chiulos, Acting 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:

Nicholas E. Chiulos,  
Acting, Clerk of the Board of Supervisors  
County of Monterey, State of California

By \_\_\_\_\_  
, Deputy

**EXHIBIT A**

<p><b>Project Applicant: County of Monterey, through RMA-Public Works &amp; Facilities</b></p> <p><b>Condition Compliance &amp; Mitigation Monitoring and/or Reporting Plan</b></p>	<p><b>Project Name:</b> <u>Robinson Canyon Road Bridge Scour Repair Project</u></p> <p><b>File No:</b> <u>N/A</u> <b>APNs:</b> <u>169-091-048-000, 169-091-047-000, 169-131-006-000, 169-131-015-000, 416-522-005-000, 416-522-021-000, and 416-024-013-000</u></p> <p><b>Approval by:</b> _____ <b>Date:</b> _____</p>
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*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

Permit Cond. Number	Mitigation Number	Conditions of Approval and/or Minimization/Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
<b>Biological Resources</b>						
	<b>Mitigation Measure BIO-1</b>	<p><b>Qualified Biologist/ Biological Monitor.</b></p> <p>Prior to initial ground disturbance, the Construction Contractor shall hire a qualified biologist with experience in steelhead biology and ecology, aquatic habitats, biological monitoring (including diversion/dewatering), and capture, handling, and relocating fish species. The qualified biologist shall be present at the work site until all ground-disturbing activities in all portions of the project site have been completed, including installation and removal of the diversion structures, and workers have received environmental training. The qualified biologist shall be present at the work site daily until ground-disturbing activities in the BSA have been completed including installation and removal of the diversion structures. Once the dewatering and diversion structures have been installed, the qualified biologist shall make periodic inspections of the project site (weekly). A final inspection of the site shall also be made by the qualified biologist after completion of construction. After completion of ground-disturbing activities, the Construction Contractor shall designate a qualified monitor who shall ensure on-site compliance with all avoidance and minimization efforts when the qualified biologist is not on site. The qualified biologist shall ensure that the qualified monitor is familiar with the avoidance and minimization efforts and is able to identify all the special-status species of potential occurrence in the biological study area (BSA). The monitor and the qualified biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the United</p>	<p>The Construction Contractor shall hire a qualified biologist and designate a qualified monitor to monitor ground-disturbing activities, conduct weekly inspections and a final inspection. The Construction Contractor shall designate a qualified monitor to ensure compliance with all avoidance and minimization efforts when the qualified biologist is not on site.</p>	Construction Contractor/ Qualified Biologist	Prior to initial ground disturbance.	

<b>Permit Cond. Number</b>	<b>Mitigation Number</b>	<b>Conditions of Approval and/or Minimization/Mitigation Measures and Responsible Land Use Department</b>	<b>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</b>	<b>Responsible Party for Compliance</b>	<b>Timing</b>	<b>Verification of Compliance (name/date)</b>
		States Fish and Wildlife Services (USFWS), the California Department of Fish and Wildlife (CDFW), or the National Marine Fisheries Service (NMFS) at any point during construction. If work is stopped, either the qualified biologist or on-site monitor shall immediately notify the California Department of Transportation (Caltrans) and the County of Monterey (County). If a federally listed species is found in the work area during construction and a Biological Opinion has not been issued for the project, then the qualified biologist must stop work and immediately notify Caltrans. Caltrans shall then consult with the USFWS or National Marine Fisheries Service (NMFS) and shall then advise the Construction Contractor on how to proceed. Likewise, should a State-listed species be found in the work area for which no incidental take permit has been issued, the County's Project Manager shall then consult with CDFW and shall advise the Construction Contractor on how to proceed.				
	<b>Mitigation Measure BIO-2</b>	<b><i>Environmental Training Session.</i></b> Prior to initial ground disturbance, the 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 biological study area (BSA), their habitat requirements, the measures being implemented to avoid and minimize impacts to these species, the authority and responsibilities of the qualified biologist and monitor, and procedures to follow if a listed or special-status species is observed. The environmental training shall include a discussion of the boundaries behind which the workers and equipment must remain, the purpose of the Environmentally Sensitive Area (ESA) fencing, and the resources being protected. All attendees shall sign a form acknowledging their attendance at an environmental training and their understanding of the measures being implemented. This form shall be kept by the qualified biologist and provided with the final monitoring report.	A qualified biologist shall conduct an environmental training session for all construction and maintenance personnel.	Construction Contractor / Qualified Biologist	Prior to initial ground disturbance.	
	<b>Mitigation Measure BIO-3</b>	<b><i>ESA Fencing.</i></b> Prior to construction activities, the qualified biologist shall identify locations for the placement of brightly colored Environmentally Sensitive Area (ESA) fencing to protect	A qualified biologist shall identify, verify, and oversee the placement and installation of ESAs, within which construction activities shall be	Construction Contractor/ Qualified Biologist	Prior to construction activities	

<b>Permit Cond. Number</b>	<b>Mitigation Number</b>	<b>Conditions of Approval and/or Minimization/Mitigation Measures and Responsible Land Use Department</b>	<b>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</b>	<b>Responsible Party for Compliance</b>	<b>Timing</b>	<b>Verification of Compliance (name/date)</b>
		sensitive habitat areas (i.e., Carmel River, jurisdictional areas, wetlands, riparian areas, California red-legged frog habitat, <i>Alnus rhombifolia</i> Forest Alliance Association ( <i>Alnus rhombifolia-Salix laevigata</i> ), riverine habitat adjacent to the construction area and to delineate a protection zone beyond which construction activities are prohibited and to prevent terrestrial animals from entering the work area. The Construction Contractor, with the assistance of the qualified biologist, shall install the ESA fencing prior to construction activities. The fence shall be staked and buried at least six (6) inches into the soil. The qualified biologist shall verify the correct placement and installation of the fences before work begins in the area. Fencing shall be maintained in good condition for the duration of construction activities.	prohibited and terrestrial animals shall be prevented from entering.  Fencing shall be maintained in good condition for the duration of the construction activities.			
	<b>Mitigation Measure BIO-4</b>	<b>Special-Status Species Survey.</b> Immediately before initial ground disturbance and/or vegetation clearing in the Carmel River high-flow channel, the qualified biologist shall conduct a survey of the work area for special-status species, including California red-legged frog, western pond turtle, two-striped garter snakes, Monterey big-eared woodrat, and South/Central Coast steelhead. If special-status species are found, they shall be allowed to leave the work area on their own or, if approved by the United States Fish and Wildlife Service (USFWS), the California Department of Fish and Wildlife (CDFW), and/or National Marine Fisheries Service (NMFS), the special-status species shall be captured and relocated by the biologist to a safe place outside the work area.	A qualified biologist shall conduct a survey of the work area for special status-species which, if found, shall either be allowed to leave the work area or captured and relocated.	Qualified Biologist	Immediately before initial ground disturbance	
	<b>Mitigation Measure BIO-5</b>	<b>Removal of Invasive Wildlife.</b> During project construction, a qualified biologist shall permanently remove individuals of nonnative, invasive wildlife species (e.g., bullfrogs, crayfish, and centrarchid fish) from the project area and dispatch them humanely, in compliance with the California Fish and Game Code, if they are found during surveys or monitoring activities. Nonnative fish and wildlife shall not be returned to the river.	A qualified biologist shall remove nonnative, invasive wildlife species from the project area in compliance with the California Fish and Game Code.	Qualified Biologist	During construction	
	<b>Mitigation Measure BIO-6</b>	<b>River Monitoring.</b> During vegetation removal, initial grading, and other ground-disturbing activities in the Carmel River channel, a qualified biologist shall monitor such activities for reptiles	A qualified biologist shall monitor for reptiles and other small wildlife and relocate them in a safe place outside the exclusion fence.	Qualified Biologist	During vegetation removal and ground-	

<i>Permit Cond. Number</i>	<i>Mitigation Number</i>	<i>Conditions of Approval and/or Minimization/Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		and other small wildlife exposed by such activities and then relocate them in a safe place outside the exclusion fence.			disturbing activities	
	<b>Mitigation Measure BIO-7</b>	<b><i>Routes and Boundaries.</i></b> Prior to the start of construction, the County of Monterey shall ensure that the number and size of access routes and staging areas and the total area of construction activity is limited to the minimum necessary to achieve the project goal. Routes and boundaries shall be clearly demarcated both on plans and in the field prior to the start of construction activities. Staging areas, access routes, and construction areas shall be located outside of wetland and riparian areas to the maximum extent practicable. Work in the Alnus rhombifolia Forest Alliance (Alnus rhombifolia-Salix laevigata Association) and the live channel of the Carmel River shall be minimized to the greatest extent possible. The work areas on the underside of the Robinson Canyon Bridge shall be accessed from the area northwest of the bridge.	Access routes, staging areas, and construction activity shall be limited to the minimum necessary to achieve the project goal and clearly identified on plans and in the field.  Work areas on the underside of the bridge shall be accessed from the area northwest of the bridge.	RMA –Public Works & Facilities	Prior to construction	
	<b>Mitigation Measure BIO-8</b>	<b><i>Revegetation.</i></b> Prior to completion of construction, the Construction Contractor shall ensure that all temporary impact areas and permanently graded areas are revegetated with the native seed mix listed in the table below. This seed mix may be altered as necessary if some of the seeds are unavailable at the time of revegetation or too expensive provided that the additions or substitutions are native species of local stock that provide similar erosion control properties as the replaced species.	All temporary impact areas and permanently graded areas shall be revegetated with local native species that provide erosion control properties.	Construction Contractor	Prior to completion of construction	

Permit Cond. Number	Mitigation Number	Conditions of Approval and/or Minimization/Mitigation Measures and Responsible Land Use Department				Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		Scientific Name	Common Name	Rate (Lbs./Acre)	Minimum Percent Germination				
		<i>Artemisia douglasiana</i>	Mugwort	2.0	50				
		<i>Bromus carinatus carinatus</i>	California brome	5.0	85				
		<i>Elymus trachycaulus</i>	Slender wheatgrasses	2.0	60				
		<i>Elymus X triticum</i>	Regreen	10.0	80				
		<i>Eschscholzia californica</i>	California poppy	2.0	70				
		<i>Hordeum brachyantherum</i>	California barley	2.0	80				
		<i>Lupinus bicolor</i>	Bicolored lupine	4.0	80				
	<b>Mitigation Measure BIO-9</b>	<p><b>Revegetation of Rock Slope Protection.</b>            During placement of rock slope protection (RSP), the Construction Contractor shall ensure that native topsoil from the channel is incorporated within the RSP to provide a seeding and planting medium. Areas of RSP above the ordinary high water mark (OHWM) shall be revegetated with the seed mix listed in the table in Mitigation Measure BIO-8. This seed mix may be altered as necessary if some of the seeds are unavailable at the time of revegetation or too expensive provided that the additions or substitutions are native species of local stock that provide similar erosion control properties as the replaced species. In addition, locally obtained willow cuttings/poles shall be installed at a 3:1 ratio (trees planted: trees removed) within the lower sections of the RSP near the OHWM.</p>				Native topsoil from the channel shall be incorporated within the rock slope protection. The rock slope protection shall be vegetated with local native species and willow cuttings/poles for erosion control.	Construction Contractor	During construction	
	<b>Mitigation Measure BIO-10</b>	<p><b>Monterey Big-Eared Woodrat.</b>            Prior to vegetation removal, a qualified biologist shall survey the work area to be cleared for Monterey big-eared woodrat nests. If woodrat nests are located within the work area, they shall be disassembled by hand or with hand tools to allow any woodrats in the nest to move out of the work area. The</p>				A qualified biologist shall survey the work area for Monterey big-eared woodrat nests. The qualified biologist shall disassemble and remove any woodrat nests from the project area.	Qualified Biologist	Prior to vegetation removal	

<b>Permit Cond. Number</b>	<b>Mitigation Number</b>	<b>Conditions of Approval and/or Minimization/Mitigation Measures and Responsible Land Use Department</b>	<b>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</b>	<b>Responsible Party for Compliance</b>	<b>Timing</b>	<b>Verification of Compliance (name/date)</b>
		nest material shall then be moved out of the work area and stacked where it is accessible to the woodrats.				
	<b>Mitigation Measure BIO-11</b>	<b>Construction Period in the Carmel River.</b> The County of Monterey (County) shall ensure that all in-water work within the Carmel River is restricted to the low-flow season between July 1 and October 15, which is within the seasonal work window recommended by the National Marine Fisheries Service (NMFS) to minimize effects to steelhead.	All in-water work within the Carmel River shall occur between July 1 and October 15.	RMA-Public Works & Facilities	Prior to/ during construction	
	<b>Mitigation Measure BIO-12</b>	<b>Concrete and Toxic Substance Use.</b> The Construction Contractor shall ensure that no fill material, including asphalt or concrete is allowed to enter the active water channel, with exception of clean river rock for the water diversion. Concrete shall not be allowed contact with surface waters until it has fully cured. In the event that uncured concrete contacts surface water, the pH of water in the Carmel River downstream of the work area shall be monitored before and after pouring of concrete until it cures. Water that contacts wet concrete and has a pH greater than 9.0 shall be pumped out of the work area and disposed of outside the Carmel River channel. No substances toxic to aquatic life shall be discharged into the Carmel River (e.g., diesel fuel, oil, hydraulic fluid, run-off from curing concrete, etc.). Good Housekeeping BMPs shall be used to keep toxic substances and fill materials out of aquatic habitats.	No fill material, with the exception of clean river rock, shall be allowed to enter the active water channel. Water quality will be monitored before and after pouring of concrete. Good Housekeeping BMP's shall be used to keep toxic substances and fill materials out of aquatic habitats.	Construction Contractor	During construction	
	<b>Mitigation Measure BIO-13</b>	<b>Steelhead Relocation.</b> The qualified biologist shall coordinate with California Department of Transportation (Caltrans), as well as the County of Monterey (County), to identify a suitable upstream or downstream location within the Carmel River where steelhead captured within the biological study area (BSA) shall be relocated. After completion of the proposed project, the qualified biologist shall prepare a report providing the results of the removal/relocation effort for submittal to the National Marine Fisheries Service (NMFS). The report shall also include information on non-native species that were removed from the BSA.	The qualified biologist shall coordinate with Caltrans and the County to identify suitable locations within the Carmel River where steelhead captured within the BSA shall be relocated. The qualified biologist shall prepare a report documenting the results of the removal/relocation effort to the NMFS.	Qualified Biologist	Prior to, during, and following construction	
	<b>Mitigation Measure BIO-14</b>	<b>Water Diversion.</b> The qualified biologist shall be on the project site during dewatering and river diversions. The qualified biologist shall assist the Construction Contractor in the	A qualified biologist shall monitor the placement and removal of the dewatering and diversion devices, capture and relocate stranded	Construction Contractor/ Qualified Biologist	Prior to/ during construction	

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		implementation of the dewatering and river diversions, to monitor the placement and removal of dewatering and diversion devices, and to capture and relocate stranded steelhead. During construction, the qualified biologist shall ensure that water diversions allow unrestricted passage of adult and juvenile steelhead through the Biological Study Area (BSA). Pumped water shall be released into a portable storage tank to allow suspended sediment to settle prior to being released back into the Carmel River.	steelhead, and ensure that water diversions allow unrestricted passage of adult and juvenile steelhead. Pumped water shall be stored in a portable water storage tank to allow sediment to settle before being released back into the river.			
	<b>Mitigation Measure BIO-15</b>	<b>Construction Timing.</b> The Construction Contractor shall ensure that all construction within the Carmel River is conducted during daylight hours to allow for an extended period of inactivity (i.e., night time) for salmonids, if present, to pass through the Biological Study Area (BSA) undisturbed.	All construction shall be conducted during daylight hours.	Construction Contractor	During construction	
	<b>Mitigation Measure BIO-16</b>	<b>Vegetation Removal.</b> Where vegetation removal is necessary, the Construction Contractor shall ensure that rapidly sprouting plants, such as willows, are cut off at the ground line and the root systems left intact.	Where vegetation removal is necessary, rapidly sprouting plants shall be cut off at the ground line and root systems left intact.	Construction Contractor	During vegetation removal	
	<b>Mitigation Measure BIO-17</b>	<b>Hydroseeding.</b> If hydroseed mixes are used to stabilize disturbed areas, the Construction Contractor shall ensure that such mixes do not contain fertilizers.	If used, hydroseed mixes shall not contain fertilizers.	Construction Contractor	During construction	
	<b>Mitigation Measure BIO-18</b>	<b>Contour Restoration.</b> Prior to the completion of construction, the Construction Contractor shall ensure that the Carmel River channel, upland areas, and Alnus rhombifolia Forest Alliance Association (Alnus rhombifolia-Salix laevigata) are returned to their original contours and condition to the greatest extent possible. In addition, alteration of the Carmel River bed shall be minimized to the maximum extent possible.	The river upland areas and Alnus rhombifolia Forest Alliance Association shall be returned to their original contours and conditions to the greatest extent possible. Alteration of the Carmel River bed shall be minimized to the maximum extent possible.	Construction Contractor	Prior to completion of construction	

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	<b>Mitigation Measure BIO-19</b>	<b>Removal of Diversions and Barriers.</b> Prior to the completion of construction, the Construction Contractor shall ensure that diversions and barriers to flow are removed in a manner that allows flow to resume with the least disturbance to the substrate. Imported material not part of the permanent scour repair shall be removed from the stream bed upon completion of construction. All constructed temporary access roads into the Carmel River channel, construction mats, and other temporary material used for construction shall be removed from the Biological Study Area (BSA) and transported to an appropriate disposal or storage facility.	Diversions and barriers to flow and imported materials shall be removed from the stream bed to allow flow to resume with the least disturbance to the substrate. Temporary access roads and other temporary material used for construction shall be removed and transported to an appropriate disposal or storage facility.	Construction Contractor	Prior to completion of construction	
	<b>Mitigation Measure BIO-20</b>	<b>Regulatory Permits.</b> Prior to authorization to proceed with project construction, the County of Monterey shall obtain a 404 Nationwide Permit from the United States Army Corps of Engineers (Corps), a 401 Water Quality Certification from the Central Coast Regional Water Quality Control Board (RWQCB), and Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW), or alternate permits as determined by the issuing agencies.	The County shall obtain a 404 Nationwide Permit, a 401 Water Quality Certification, and a Lake and Streambed Alteration Agreement, or alternate permits, from the appropriate regulatory agencies.	RMA-Public Works & Facilities	Prior to construction	
	<b>Mitigation Measure BIO-21</b>	<b>Compensatory Mitigation For <i>Alnus rhombifolia</i> Forest Alliance.</b> Prior to project completion, the County shall ensure that permanently impacted <i>Alnus rhombifolia</i> forest alliance is mitigated using one of the following methods or a combination of methods: <ol style="list-style-type: none"> <li>1. Preservation, creation, or restoration of permanently impacted <i>Alnus rhombifolia</i> forest alliance at a minimum ratio of 3:1. This work shall occur within the project area and/or nearby areas within the same watershed; and/or</li> <li>2. Purchasing credits from an approved mitigation bank at a minimum ratio of 1:1 for permanently impacted <i>Alnus rhombifolia</i> forest alliance.</li> </ol>	Permanently impacted <i>Alnus rhombifolia</i> forest alliance shall be mitigated using preservation, creation, or restoration at a minimum 3:1 ratio or the purchase of credits from an approved mitigation bank at a 3:1 ratio.	RMA-Public Works & Facilities	Prior to completion of construction	
	<b>Mitigation Measure BIO-22</b>	<b>Invasive Species Abatement and Eradication Program.</b> The County of Monterey shall require the Construction Contractor to implement an invasive species abatement and eradication program during construction. The invasive species abatement and eradication measures shall be	The Construction Contractor shall implement an invasive species abatement and eradication program during construction.	RMA-Public Works & Facilities/ Construction Contractor	During construction	

<i>Permit Cond. Number</i>	<i>Mitigation Number</i>	<i>Conditions of Approval and/or Minimization/Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p>included in the project design and contract specifications. At a minimum, the abatement and eradication measures shall include:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Soil and vegetation disturbance shall be minimized to the greatest extent feasible.</li> <li>• The construction contractor shall ensure that all active portions of the construction site and stockpiled material are sufficiently watered or covered to prevent excessive amounts of dust and seed dispersal.</li> <li>• Soil/gravel/rock shall be obtained from weed-free sources.</li> <li>• All invasive plant material removed from 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.</li> <li>• Only certified weed-free straw, mulch, and/or fiber rolls shall be used for erosion control.</li> <li>• Eradication procedures (e.g., spraying and/or hand weeding) shall be implemented should an infestation occur.</li> <li>• The use of herbicides shall be prohibited within and adjacent to native vegetation, except as specifically authorized and monitored by the County of Monterey and the Caltrans District Biologist.</li> <li>• A qualified biologist will permanently remove individuals of nonnative, invasive wildlife species from the project area and dispatch them humanely.</li> <li>• Nonnative fish and wildlife will not be returned to the river or any other natural waterbody.</li> </ul>				

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	<b>Mitigation Measure BIO-23</b>	<b>Vegetation Removal.</b> To the greatest extent feasible, the Construction Contractor shall ensure that vegetation removal and trimming for the access road and construction areas are conducted during the non-nesting season for birds (i.e., between September 1 and January 31).	Vegetation removal and trimming for access road and construction areas shall be conducted during the non-breeding season for birds.	Construction Contractor	During vegetation removal	
	<b>Mitigation Measure BIO-24</b>	<b>Nesting Bird Surveys.</b> If project construction takes place during the bird nesting season (February 1 to August 31), all suitable nesting habitat within 50 feet of the limits of work shall be surveyed by a qualified biologist no more than 14 days prior to ground disturbing/vegetation removal activities and again within two (2) days (48 hours) of such activities. Areas outside the public right of way shall not be surveyed for active nests unless such areas are visible from the public right of way.	A qualified biologist shall complete preconstruction nesting bird surveys if construction occurs within nesting bird season.	Qualified Biologist	Prior to ground disturbing activities/vegetation removal	
	<b>Mitigation Measure BIO-25</b>	<b>Nesting Bird Buffer Areas.</b> If an active bird nest is found, a qualified biologist shall delineate an appropriate buffer using plastic construction fencing (Environmentally Sensitive Area [ESA] fencing), pin flags, or other easily identified fencing material. If necessary, the biologist will consult with United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) to determine an appropriate buffer size. Typically, buffers range from 250 to 500 ft depending on the species, nest location, surrounding habitat, and the nature of the adjacent construction activity. During construction, the qualified biologist will conduct regular monitoring (at USFWS- and 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 that the nest is no longer active. 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 the appropriate buffer around the nest. If establishment of the buffer is not feasible, USFWS/CDFW shall be contacted for further avoidance and minimization guidelines.	If an active bird nest is found, a qualified biologist shall delineate an appropriate buffer where construction will be prohibited and conduct regular monitoring to evaluate the nest for potential disturbances.	Qualified Biologist	Prior to/ during construction	

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	<b>Mitigation Measure PBO-1</b>	Only USFWS-approved biologists will participate in activities associated with the capture, handling, and monitoring of California red-legged frogs.	Only USFWS-approved biologists shall participate in activities associated with California red-legged frogs.	Construction Contractor/ RMA-Public Works & Facilities	Prior to/during construction	
	<b>Mitigation Measure PBO-2</b>	Ground disturbance will not begin until written approval is received from the USFWS that the biologist is qualified to conduct the work, unless the individual(s) has/have been approved previously and the USFWS has not revoked that approval.	Ground disturbance shall not begin without written approval from the USFWS that the biologist is qualified to conduct the work.	Construction Contractor/ RMA-Public Works & Facilities	Prior to construction	
	<b>Mitigation Measure PBO-3</b>	A USFWS-approved biologist will survey the project site no more than 48 hours before the onset of work activities. If any life stage of the California red-legged frog is found and these individuals are likely to be killed or injured by work activities, the approved biologist will be allowed sufficient time to move them from the work site before work begins. The USFWS-approved biologist will relocate the California red-legged frogs the shortest distance possible to a location that contains suitable habitat and that will not be affected by activities associated with the proposed project. The relocation site should be in the same drainage to the extent practicable. Caltrans will coordinate with the USFWS on the relocation site prior to the capture of any California red-legged frogs.	A USFWS-approved biologist shall conduct pre-construction surveys for California red-legged frogs and relocate any frogs outside of the work area.	Qualified Biologist	Prior to construction	
	<b>Mitigation Measure PBO-4</b>	Before any activities begin on a project, a USFWS-approved biologist will conduct a training session for all construction personnel. At a minimum, the training will include a description of the California red-legged frog and its habitat, the specific measures that are being implemented to conserve the California red-legged frog for the current project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.	A USFWS-approved biologist shall conduct a California red-legged frog training session for all construction personnel before construction begins.	Construction Contractor/ Qualified Biologist	Prior to construction	
	<b>Mitigation Measure PBO-5</b>	A USFWS-approved biologist will be present at the work site until all California red-legged frogs have been relocated out of harm's way, workers have been instructed, and disturbance of habitat has been completed. After this time, the County will designate a person to monitor on-site compliance with all minimization measures. The USFWS-approved biologist will ensure that this monitor receives the	A USFWS-approved biologist or designated, trained monitor shall monitor for California red-legged frogs during construction.	Construction Contractor/ RMA-Public Works & Facilities/ Qualified Biologist	Prior to/during construction	

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		training outlined in <b>PBO-4</b> and in the identification of California red-legged frog. If the monitor or the USFWS-approved biologist recommends that work be stopped because California red-legged frogs would be affected in a manner not anticipated by Caltrans and the USFWS during review of the proposed action, they will notify the resident engineer (the engineer that is directly overseeing and in command of construction activities) immediately. The resident engineer will either resolve the situation by eliminating the adverse effect immediately or require that all actions which are causing these effects be halted. If work is stopped, the USFWS will be notified as soon as possible.				
	<b>Mitigation Measure PBO-6</b>	During project activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas.	All trash that may attract predators shall be properly contained, removed, and disposed of.	Construction Contractor	During/ following construction	
	<b>Mitigation Measure PBO-7</b>	All refueling, maintenance, and staging of equipment and vehicles will occur at least 60 feet from riparian habitat or water bodies and in a location from where a spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water). The monitor will ensure contamination of habitat does not occur during such operations. Prior to the onset of work, Caltrans will ensure that a plan is in place for prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.	Refueling, maintenance, and staging of equipment and vehicles shall be monitored and shall occur at least 60 feet from riparian habitat or water bodies where a spill would not drain directly toward aquatic habitat. A spill response plan shall be implemented.	Construction Contractor/ Caltrans	Prior to/ during construction	
	<b>Mitigation Measure PBO-8</b>	Habitat contours will be returned to their original configuration at the end of project activities. This measure will be implemented in all areas disturbed by activities associated with the project, unless the USFWS and Caltrans determine that it is not feasible or modification of original contours would benefit the California red-legged frog.	Habitat contours shall be returned to their original configuration unless not feasible or modification of original contours would benefit the California red-legged frog.	Construction Contractor	Following construction	
	<b>Mitigation Measure PBO-9</b>	The number of access routes, size of staging areas, and the total area of activity will be limited to the minimum necessary to achieve the project goals. Environmentally Sensitive Areas will be delineated to confine access routes and construction areas to the minimum area necessary to complete construction, and minimize the impact to California red-legged frog habitat; this goal includes locating	Environmentally Sensitive Areas shall be installed to limit the area of access routes, staging areas, and construction activity and protect California red-legged frog habitat.	Construction Contractor/ Qualified Biologist	Prior to/ during construction	

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		access routes and construction areas outside of wetlands and riparian areas to the maximum extent practicable.				
	<b>Mitigation Measure PBO-10</b>	The County will attempt to schedule work activities for times of the year when impacts to California red-legged frog would be minimal. For example, work that would affect large pools that may support breeding would be avoided, to the maximum degree practicable, during the breeding season (November through May). Isolated pools that are important to maintain California red-legged frogs through the driest portions of the year would be avoided, to the maximum degree practicable, during the late summer and early fall. Habitat assessments, surveys, and informal consultation between Caltrans and the USFWS during project planning should be used to assist in scheduling work activities to avoid sensitive habitats during key times of the year.	Work activities shall be scheduled, when feasible, for times of the year when impacts to California red-legged frog would be minimal.	RMA- Public Works & Facilities	Prior to/during construction	
	<b>Mitigation Measure PBO-11</b>	To control sedimentation during and after project implementation, the County will implement Best Management Practices (BMPs) outlined in any authorizations or permits, issued under the authorities of the Clean Water Act that it receives for the specific project. If BMPs are ineffective, the County will attempt to remedy the situation immediately, in consultation with the USFWS.	BMPs shall be implemented to control sedimentation.	RMA – Public Works & Facilities	During/ following construction	
	<b>Mitigation Measure PBO-12</b>	If a work site is to be temporarily dewatered by pumping, intakes will be completely screened with wire mesh not larger than 0.2 inches to prevent California red-legged frogs from entering the pump system. Water will be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. The methods and materials used in any dewatering will be determined by the County in consultation with the USFWS on a site-specific basis. Upon completion of construction activities, any diversions or barriers to flow will be removed in a manner that would allow flow to resume with the least disturbance to the substrate. Alteration of the stream bed will be minimized to the maximum extent possible; any imported material will be removed from the stream bed upon completion of the project.	Pump intakes shall be completely screened with wire mesh, and water released or pumped downstream at an appropriate rate. Dewatering methods shall be determined by the County in consultation with the USFWS. Diversions or barriers will be removed after construction to allow flow to resume with the least disturbance.	Construction Contractor/ RMA-Public Works & Facilities	During/ following construction	
	<b>Mitigation Measure PBO-13</b>	Unless approved by the United States Fish and Wildlife Service (USFWS), water will not be impounded in a manner that may attract California red-legged frog.	Unless approved, water shall not be impounded in a manner that may attract California red-legged frog.	Construction Contractor/ Qualified Biologist	During construction	

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	<b>Mitigation Measure PBO-14</b>	A United States Fish and Wildlife Service (USFWS)-approved biologist will permanently remove any individuals of exotic species such as bullfrogs, crayfish, and centrarchid fishes from the project area, to the maximum extent possible. The USFWS-approved biologist will be responsible for ensuring his or her activities are in compliance with the California Fish and Game Code.	A USFWS-approved biologist shall permanently remove any individuals of exotic species from the project area in compliance with the California Fish and Game Code.	Qualified Biologist	Prior to/during construction	
	<b>Mitigation Measure PBO-15</b>	If Caltrans demonstrates that disturbed areas have been restored to conditions that allow them to function as habitat for the California red-legged frog, these areas will not be included in the amount of total habitat permanently disturbed.	If disturbed areas have been restored and function as habitat for the California red-legged frog, these areas shall not be included in the amount of total habitat permanently disturbed.	RMA- Public Works & Facilities/ Caltrans	Following Construction	
	<b>Mitigation Measure PBO-16</b>	To ensure that diseases are not conveyed between work sites by the USFWS-approved biologists, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force will be followed at all times.	The Declining Amphibian Populations Task Force code of practice shall be followed at all times to ensure diseases are not spread by USFWS-approved biologists.	Construction Contractor/ Qualified Biologist	Prior to, during, following construction	
	<b>Mitigation Measure PBO-17</b>	Project sites will be revegetated with an assemblage of native riparian, wetland, and upland vegetation suitable for the area. Locally collected plant materials will be used to the extent practicable. Invasive exotic plants will be controlled to the maximum extent practicable. This measure will be implemented in all areas disturbed by activities associated with the project, unless the USFWS and Caltrans determine that it is not feasible or practical.	Project sites shall be revegetated with suitable native riparian, wetland, and upland vegetation, with locally collected plant materials used where practicable. Invasive exotic plants will be controlled.	Construction Contractor	Following Construction	
	<b>Mitigation Measure PBO-18</b>	Caltrans or the County as its designee will not use herbicides as the primary method used to control invasive, exotic plants. However, if Caltrans or the County determines the use of herbicides is the only feasible method for controlling invasive plants at a specific project site, they will implement the following additional protective measures for the California red-legged frog: <ul style="list-style-type: none"> <li>a. Caltrans or the County will not use herbicides during the breeding season for the California red-legged frog.</li> <li>b. Caltrans or qualified biologists contracted by the County will conduct surveys for the California red-legged frog immediately prior to the start of any herbicide use. If found, California red-legged frogs will be relocated to suitable habitat far enough from</li> </ul>	Herbicides shall not be used as the primary method to control invasive, exotic plants. If the use of herbicides necessary, measures to protect California red-legged frog shall be implemented.	Construction Contractor/ RMA- Public Works & Facilities	During/ following construction	

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		<p>the project area that no direct contact with herbicides would occur.</p> <ul style="list-style-type: none"> <li>c. Giant reed and other invasive plants will be cut and hauled out by hand and then painted with glyphosate or glyphosate-based products, such as Aquamaster® or Rodeo®.</li> <li>d. Licensed and experienced Caltrans or County staff or a licensed and experienced contractor will use a hand-held sprayer for foliar application of Aquamaster® or Rodeo® where large monoculture stands occur at an individual project site.</li> <li>e. All precautions will be taken to ensure that no herbicide is applied to native vegetation.</li> <li>f. Herbicides will not be applied on or near open water surfaces (no closer than 60 feet from open water).</li> <li>g. Foliar applications of herbicide will not occur when wind speeds are in excess of 3 miles per hour.</li> <li>h. No herbicides will be applied within 24 hours of forecasted rain.</li> <li>i. Application of all herbicides will be done by a qualified Caltrans or County staff or contractors to ensure that overspray is minimized, that all application is made in accordance with label recommendations, and with implementation of all required and reasonable safety measures. A safe dye will be added to the mixture to visually denote treated sites. Application of herbicides will be consistent with the U.S. Environmental Protection Agency's Office of Pesticide Programs, Endangered Species Protection Program county bulletins.</li> <li>j. All herbicides, fuels, lubricants, and equipment will be stored, poured, or refilled at least 60 feet from riparian habitat or water bodies in a location where a spill would not drain directly toward aquatic habitat. Caltrans will ensure that contamination of habitat does not occur during such operations. Prior to the onset of work, Caltrans or the County will ensure that a plan is in place for a prompt and effective response to accidental spills. All workers will be informed of the importance of preventing</li> </ul>				

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		spills and of the appropriate measures to take should a spill occur.				
	<b>Mitigation Measure PBO-19</b>	Upon completion of the project, the County will provide Caltrans with a Project Completion Report and Caltrans will ensure this report is provided to the Ventura Fish and Wildlife Office. Caltrans should include recommended modifications of the protective measures if alternative measures would facilitate compliance with the provisions of this consultation.	A Project Completion Report shall be provided to the Ventura Fish and Wildlife Office.	RMA- Public Works & Facilities/Caltrans	Following construction	
<b>Cultural Resources</b>						
	<b>Compliance Measure CULT-1</b>	<b>Discovery of Unidentified Archaeological and Paleontological Resources.</b> During construction, if cultural, archaeological, historical, or paleontological resources are encountered (surface or subsurface resources), work shall be halted immediately within 50 meters (165 ft) of the find until a qualified professional archaeologist can evaluate it. The County of Monterey Resource Management Agency (RMA) – Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) or paleontologist shall be immediately contacted by the responsible individual present on site. When contacted, the project planner and the archaeologist or paleontologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery (California Code of Regulations [CCR], Title 14, Chapter 3, Section 15064.5(f)).	If cultural, archaeological, historical, or paleontological resources are encountered, work shall be halted immediately until the find is evaluated by a qualified professional archaeologist or paleontologist.	Construction Contractor/ RMA- Public Works & Facilities	During construction	
	<b>Compliance Measure CULT-2</b>	<b>Discovery of Human Remains.</b> During construction, consistent with the requirements of California Health and Safety Code (HSC) Section 7050.5, if human remains are discovered on site, no further disturbance shall occur until the Monterey County Coroner can evaluate them. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of identification. Pursuant to Section 5097.9 and 5097.993 of the Public Resources Code, 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 any associated grave goods.	If human remains are discovered on site during construction, no further disturbance shall occur until the County Coroner can evaluate them. If the human remains are of Native American origin, the coroner shall notify the Native American Heritage Commission who shall identify a “Native American Most Likely Descendent” to inspect the site and provide recommendations for the proper treatment of the remains.	Construction Contractor	During construction	
<b>Geology and Soils</b>						

<b>Permit Cond. Number</b>	<b>Mitigation Number</b>	<b>Conditions of Approval and/or Minimization/Mitigation Measures and Responsible Land Use Department</b>	<b>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</b>	<b>Responsible Party for Compliance</b>	<b>Timing</b>	<b>Verification of Compliance (name/date)</b>
	<b>Mitigation Measure GEO-1</b>	<b><i>Final Geotechnical Report.</i></b> During final design, a detailed geotechnical investigation shall be conducted by qualified geotechnical personnel to assess the geotechnical conditions at the project site. The geotechnical investigation shall include seismic cone penetration tests and exploratory borings to investigate site-specific soils and conditions, as well as the collection of subsurface soil samples for laboratory testing. The project-specific findings and recommendations of the geotechnical investigation shall be incorporated into final design of the proposed project and shall be summarized in the Final Geotechnical Report to be submitted to the County of Monterey for review and approval.	A Final Geotechnical Report shall be prepared by qualified geotechnical personnel and the findings and recommendations incorporated into final design.	RMA – Public Works & Facilities	Prior to construction	
<b><i>Hazards and Hazardous Materials</i></b>						
	<b>Mitigation Measure HAZ-1</b>	<b><i>Emergency Response and Cleanup Plan.</i></b> Prior to commencement of construction activities, the construction contractor shall prepare an emergency response and cleanup plan. The construction contractor shall implement the plan during construction. The plan shall detail the methods to contain and clean up spill of petroleum products or other hazardous materials in the work area.	An emergency response and cleanup plan shall be prepared and implemented during construction.	Construction Contractor	Prior to construction	
	<b>Mitigation Measure HAZ-2</b>	<b><i>Construction Equipment Maintenance, Refueling, and Washing Activities.</i></b> During construction, the Construction Contractor shall ensure that all equipment maintenance and fueling areas shall be located at least 60 feet away from aquatic habitats, including the Carmel River channel, on level ground, and away from concentrated flows of storm water and drainage courses. Fueling of vehicles shall take place within a containment area that will prevent any spilled or leaked fuel from running into the river. All equipment servicing must occur within designated staging areas outside the high-flow river channel. Drip pans or absorbent pads shall be used during equipment refueling and maintenance activities. All motorized equipment used during construction or demolition activities shall be checked for oil, fuel, and coolant leaks prior to initiating work in the high-flow river channel. Any equipment found to be leaking fluids shall not be used on the project and shall be replaced with equipment that does not leak. In the event that a spill does occur, adequate quantities	All equipment maintenance and fueling areas shall be contained and located within designated staging areas and at least 60 feet away from aquatic habitats, on level ground, away from concentrated flows of storm water and drainage courses. Adequate quantities of absorbent spill clean-up material and spill kits shall be kept in the refueling and maintenance area and on fuel trucks. Spill clean-up and materials shall be disposed of immediately after use.	Construction Contractor	During construction	

<b>Permit Cond. Number</b>	<b>Mitigation Number</b>	<b>Conditions of Approval and/or Minimization/Mitigation Measures and Responsible Land Use Department</b>	<b>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</b>	<b>Responsible Party for Compliance</b>	<b>Timing</b>	<b>Verification of Compliance (name/date)</b>
		of absorbent spill clean-up material and spill kits shall be kept in the refueling and maintenance area and on fuel trucks. Spill clean-up and materials shall be disposed of immediately after use.				
<b>Hydrology and Water Quality</b>						
	<b>Compliance Measure WQ-1</b>	<p><b>Construction General Permit.</b>  Prior to commencement of construction activities, the proposed project shall obtain coverage under the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) Order No. 2009-0009-DWQ, as amended by 2010-0014-DWG and 2012- 0006-DWQ, NPDES No. CAS000002, or any other subsequent permit. This shall include submission of Permit Registration Documents (PRDs), including a Notice of Intent (NOI) for coverage under the permit to the State Water Resources Control Board via the Stormwater Multiple Application and Report Tracking System (SMARTS). Construction activities shall not commence until a Waste Discharge Identification Number (WDID) is obtained from SMARTS. The proposed project shall comply with the Risk Level 2 requirements of the Construction General Permit. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and implemented to address all construction-related activities, equipment, and materials that have the potential to impact water quality. The SWPPP shall identify the sources of pollutants that may affect the quality of storm water and include Best Management Practices (BMPs) to ensure that the potential for soil erosion, sedimentation, and spills is minimized and to control the discharge of pollutants in storm water runoff as a result of construction activities. Upon completion of construction, a Notice of Termination (NOT) shall be submitted via SMARTS.</p>	Coverage under the State Water Resources Control Board's NPDES Construction General Permit shall be obtained. The requirements of the Construction General Permit shall be followed.	RMA- Public Works & Facilities	Prior to construction	
	<b>Compliance Measure WQ-2</b>	<p><b>Erosion Control Plan.</b>  During the plans, specifications, and estimates (PS&amp;E) phase, an Erosion Control Plan shall be prepared and implemented by the County or its designated contractor in compliance with the provisions of the Monterey County Erosion Control Ordinance (Municipal Code, Title 16, Chapter 16.12). The Erosion Control Plan shall indicate the</p>	An Erosion Control Plan shall be prepared and implemented in compliance with the provisions of the Monterey County Erosion Control Ordinance.	RMA – Public Works & Facilities	Prior to construction	

<b>Permit Cond. Number</b>	<b>Mitigation Number</b>	<b>Conditions of Approval and/or Minimization/Mitigation Measures and Responsible Land Use Department</b>	<b>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</b>	<b>Responsible Party for Compliance</b>	<b>Timing</b>	<b>Verification of Compliance (name/date)</b>
		proposed methods for the control of runoff, erosion, and sediment movement during project construction.				
	<b>Compliance Measure WQ-3</b>	<b>Construction Dewatering.</b> Prior to commencement of groundwater dewatering activities, the proposed project shall obtain coverage under the State Water Resources Control Board's Statewide General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality (Water Quality Order No. 2003-0003-DWQ). This shall include submission of a Notice of Intent (NOI) for coverage under the permit to the State Water Resources Control Board (SWRCB). Construction activities shall not commence until a letter is obtained from the SWRCB stating that the proposed project has obtained coverage under the permit. Construction dewatering activities shall comply with all applicable provisions in the permit, including water sampling, analysis, and reporting of dewatering-related discharges. Upon completion of groundwater dewatering activities, a Notice of Termination (NOT) shall be submitted to the SWRCB.	Coverage under the State Water Resources Control Board's Statewide General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality shall be obtained. Construction dewatering activities shall comply with all applicable provisions in the permit.	RMA- Public Works & Facilities	Prior to construction	
<b>Transportation/Traffic</b>						
	<b>Mitigation Measure TR-1</b>	<b>Traffic Management Plan.</b> Prior to construction, the construction contractor shall be required to submit a Traffic Management Plan (TMP) to the County of Monterey Director of Public Works or appropriate designee for review and approval. During construction, the County shall require the Construction Contractor to adhere to all requirements of the TMP. The TMP shall include the following: installation of detour signs, notices of road closures, if necessary, in local media, and advance notice to the public and local emergency service providers regarding the timing, location, and duration of construction activities.	A TMP shall be prepared and implemented.	Construction Contractor/ RMA – Public Works & Facilities	Prior to/during construction	
<b>Tribal Cultural Resources</b>						
	<b>Mitigation Measure TCR-1</b>	<b>Tribal Cultural Resources Monitoring and Artifact Return.</b> Prior to construction, the County of Monterey RMA - Public Works & Facilities shall contact the Ohlone Costanoan Esselen Nation (OCEN) and request that it submit the name of the designated monitor.  The designated OCEN monitor shall be on-site during all ground-disturbing activities.	The County shall contact the Ohlone Costanoan Esselen Nation (OCEN) and request a designated monitor, who shall be on-site during all ground-disturbing activities. Should a tribal cultural resource be encountered, ground-disturbing activities shall be redirected and the monitor shall assess the resource, consult with the County,	Construction Contractor/ RMA- Public Works & Facilities	Prior to/ during construction	

<i>Permit Cond. Number</i>	<i>Mitigation Number</i>	<i>Conditions of Approval and/or Minimization/Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p>Should a tribal cultural resource be encountered during ground-disturbing activities, all ground-disturbing activities within 25 feet shall be redirected and the OCEN monitor shall assess the resource, consult with the County of Monterey, and make recommendations for the treatment of the discovery. The County shall be notified by the OCEN monitor within 24 hours of the encounter. If found to be significant by the OCEN monitor, the County shall be responsible for implementing and funding appropriate mitigation measures. Mitigation measures may include, but would not be limited to, recording the tribal cultural resource, data recovery and analysis, and public outreach. Upon completion of the selected mitigations, a report documenting methods, findings, and recommendations shall be prepared by the OCEN monitor and submitted to the County for review. Any artifacts or significant tribal cultural resources discovered during ground-disturbing activities shall be given to an OCEN tribal representative.</p>	<p>and make recommendations for the treatment of the discovery. The County shall implement and fund the mitigation measures and provide any tribal artifacts to the OCEN. A report documenting methods, findings, and recommendations shall be prepared.</p>			