



Monterey County Board of Supervisors

Board Order

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Upon motion of Supervisor Parker, seconded by Supervisor Phillips and carried by those members present, the Board of Supervisors hereby:

Adopted Resolution 18-035 to:

- a. Adopt a Mitigated Negative Declaration for the Hartnell Road Bridge Replacement Project, Project No. 3854, Federal Aid Project No. BRLO - 5944 (103);
- b. Adopt a Mitigation Monitoring and Reporting Program;
- c. Authorize Resource Management Agency (RMA) - Public Works & Facilities to proceed with the Hartnell Road Bridge Replacement Project; and
- d. Authorize the RMA Director or the RMA Deputy Director of Public Works & Facilities to acquire Right of Way for the Hartnell Road Bridge Replacement Project. (APN 153-011-060, 153-011-053, 137-141-001, 107-031-013).

PASSED AND ADOPTED on this 23rd day of January 2018, by the following vote, to wit:

AYES: Supervisors Alejo, Salinas, Phillips, Parker and Adams

NOES: None

ABSENT: None

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 order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 80 for the meeting January 23, 2018.

Dated: February 9, 2018
File ID: RES 18-003

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

By Dermie Hancock
Deputy

**Res 18-003 Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No.: 18-035

- a. Adopt a Mitigated Negative Declaration for the Hartnell Bridge Replacement Project County Bridge No. 209 (Project No. 3854, State Project No. 050020138L-N, Federal Aid Project No. BRLO-5944 (103);)
- b. Adopt a Mitigation Monitoring and Reporting Program;)
- c. Authorize Resource Management Agency (RMA) – Public Works & Facilities, Road & Bridge Division to proceed with the Hartnell Road Bridge Replacement Project; and)
- d. Authorize the RMA Director or the RMA Deputy Director of Public Works & Facilities to acquire Right of Way for the Hartnell Road Bridge Replacement Project. (APN 153-011-060, 153-011-053, 137-141-001, 107-031-013).....)

The Mitigated Negative Declaration for the Hartnell Road Bridge Replacement Project came before the Monterey County Board of Supervisors on January 23, 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 proposed project is bridge replacement of the existing bridge on Hartnell Road over Alisal Creek, which is located west of City of Salinas in southern Monterey County. The proposed project involves the installation of a new single clear span bridge over Alisal Creek with a structure that will meet current Caltrans seismic codes. The existing bridge was constructed in 1945. It is a two (2) lane box culvert bridge over Alisal Creek in unincorporated Monterey County, located approximately six (6) miles south of the City of Salinas. The bridge is approximately 0.15 miles south of Alisal Road and 1.25 miles north of Highway 101. The existing bridge is 42-ft-long and 21-ft-wide, with two 9-ft to 10-ft travel lanes and 2-ft unstriped shoulders. The existing bridge would be replaced with a two (2)-lane cast in place reinforced concrete double box culvert. The new bridge would be approximately 63 ft long and 43 ft wide, with two (2) 12-ft travel lanes and two (2) unstriped 8-ft shoulders that meet American Association of State Highway and Transportation Officials (AASHTO) minimum lane and shoulder width standards.

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) The proposed mitigation measures 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 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 October 19, 2017 through November 20, 2017 (SCH#: 2017101042).
 - 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. Three (3) mitigation measures for agricultural resources are proposed in the MND. Prior to construction, County of Monterey RMA - Public Works & Facilities shall ensure that the project plans incorporate details regarding the restoration of agricultural 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.

Prior to construction, County of Monterey RMA - Public Works & Facilities shall ensure that 0.4 acres of permanent impacts to farmlands shall be mitigated by the preservation of 0.8 acres of equivalent

agricultural land, which is a replacement at a 2:1 ratio. This shall be accomplished by payment of a fee to the Ag Land Trust, which would be used solely for the purpose of acquiring agricultural land and/or agricultural conservation easements to protect equivalent farmland. The protected farmland shall be located in the Greater Salinas Area. Documentation of the fee payment shall be submitted to the RMA project file for the Hartnell Bridge Replacement Project County Bridge No. 209 (Project No. 3854, State Project No. 050020138L-N, Federal Aid Project No. BRLO-5944 (103).

Prior to construction, County of Monterey RMA - Public Works & Facilities shall notify the California Department of Conservation (DOC) of its intent to acquire land that is under a Williamson Act Contract for a public improvement project. The notification shall follow the procedures set forth by the California DOC Public Acquisitions of Williamson Act Contracted Land. The notice shall indicate the amount of land that would need to be acquired to implement the proposed project. The notice shall also indicate that the remaining land not required for project implementation would continue to be governed by the corresponding Williamson Act Contract.

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 creek 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 would be used to the extent possible.

Immediately before initial ground disturbance and/or vegetation clearing in the Alisal Creek 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) would 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 planner, 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 Alisal Creek 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 & 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 Plans, Specifications and Estimate (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 Director of Public Works & Facilities 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 the Hartnell Road Bridge Replacement 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 Hartnell Road Bridge Replacement Project, County Bridge No. 209 (Project No. 3854, State Project No. 0500020138L-N, Federal Aid Project No. BRLO-5944 (103); and
- b) Adopt a Mitigation Monitoring and Reporting Plan, attached hereto as **Exhibit A** and incorporated by reference.
- c) Authorize Resource Management Agency (RMA) – Public Works & Facilities, Road & Bridge Division to proceed with the Hartnell Road Bridge Replacement Project; and
- d) Authorize the RMA Director or the RMA Deputy Director of Public Works & Facilities to acquire Right of Way for the Hartnell Road Bridge Replacement Project. (APN 153-011-060, 153-011-053, 137-141-001, 107-031-013).

PASSED AND ADOPTED upon motion of Supervisor Parker, seconded by Supervisor Phillips and carried this 23rd day of January 2018, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Salinas, Parker and Adams

NOES: None

ABSENT: None

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 order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 80 for the meeting on January 23, 2018.

Dated: February 9, 2018
File Number: RES 18-003

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

By Denise Hancock
Deputy

6.0 MITIGATION MONITORING AND REPORTING PROGRAM

Project Applicant: County of Monterey, through RMA-Public Works & Facilities Condition Compliance & Mitigation Monitoring and/or Reporting Plan	Project Name: <u>Hartnell Road Bridge Replacement Project</u> File No: <u>N/A</u> APNs: <u>107-031-013, 137-141-001, 153-011-060, and 153-011-053</u> Approval by: _____ Date: _____
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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/ Compliance 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)
4.2 Agricultural and Forest Resources						
	Mitigation Measure AG-1	Restoration of Agricultural Land. Prior to construction, County of Monterey RMA - Public Works & Facilities shall ensure that the project plans incorporate details regarding the restoration of agricultural 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.	County of Monterey RMA-Public Works & Facilities shall ensure project plans incorporate details regarding the restoration of agricultural land to its original condition.	County of Monterey RMA-Public Works & Facilities	Prior to the approval of project plans	
	Mitigation Measure AG-2	Agricultural Preservation Ratio. Prior to construction, County of Monterey RMA - Public Works & Facilities shall ensure that 0.4 acres of permanent impacts to farmlands shall be mitigated by the preservation of 0.8 acres of equivalent agricultural land, which is a replacement at a 2:1 ratio. This shall be	County of Monterey RMA-Public Works & Facilities shall make payment of specified fee amount into the Monterey County Agricultural Land Trust's Transaction Bank Account for the mitigation of	County of Monterey RMA-Public Works & Facilities	Prior to the approval of project plans	

Permit Cond. Number	Mitigation/ Compliance 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)
		accomplished by payment of a fee into the Monterey County Agricultural Land Trust's Transaction Bank Account to be used solely for the purpose of acquiring agricultural land and/or agricultural conservation easements to protect equivalent farmland. Documentation of the payment of the fee shall be submitted to RMA - Public Works & Facilities.	permanent impacts to farmlands.			
	Mitigation Measure AG-3	<i>Williamson Act Notification.</i> Prior to construction, County of Monterey RMA-Public Works & Facilities shall notify the California DOC of its intent to acquire land that is under a Williamson Act Contract for a public improvement project. The notification shall follow the procedures set forth by the California DOC Public Acquisitions of Williamson Act Contracted Land. The notice shall indicate the amount of land that would need to be acquired to implement the proposed project. The notice shall also indicate that the remaining land not required for project implementation would continue to be governed by a Williamson Act Contract.	Prior to construction, County of Monterey RMA-Public Works & Facilities shall notify the California DOC of its intent to acquire land that is under a Williamson Act Contract for a public improvement project.	County of Monterey RMA-Public Works & Facilities	Prior to Construction	
4.3 Air Quality						
	Compliance Measure AQ-1	<i>Fugitive Dust Control Measures.</i> The Construction Contractor, in coordination with County of Monterey RMA-Public Works & Facilities, shall ensure, per the MBUAPCD <i>CEQA Air Quality Guidelines</i> , that the following dust mitigation measures be implemented during construction:	County of Monterey RMA-Public Works & Facilities shall ensure that the construction contractor implements and adheres to the dust mitigation measures set forth in Compliance Measure AQ-1.	Construction Contractor	Construction	

<i>Permit Cond. Number</i>	<i>Mitigation/ Compliance 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>
		<ul style="list-style-type: none"> 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 2 ft 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. 				

Permit Cond. Number	Mitigation/ Compliance 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)
4.4 Biological Resources						
	Mitigation Measure BIO-1	Qualified Biologist/Biological Monitor: 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-Public Works & Facilities will consult with the California Department of Fish and Wildlife (CDFW) to salvage the plant or seeds prior to removal.	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. Biologist shall establish a buffer or remove plants if necessary.	Construction Contractor	Prior to Construction	
	Mitigation Measure BIO-2	Environmental Training Session: 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.	Prior to initial ground disturbance, the construction contractor shall retain a qualified biologist to conduct an environmental training session for all construction and maintenance personnel.	Construction Contractor	Prior to Construction; Construction	
	Mitigation Measure BIO-3	Special Status Species Survey: Immediately before initial ground disturbance and/or vegetation clearing in the Alisal Creek Channel, the qualified biologist shall conduct a	Immediately before initial ground disturbance and/or vegetation clearing in the Alisal Creek Channel, a qualified	Construction Contractor	Prior to Construction	

Permit Cond. Number	Mitigation/ Compliance 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)
		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.	biologist shall conduct a survey of the work area for special status species. The biologist shall relocate the species if necessary.			
	Mitigation Measure BIO-4	Removal of Invasive Wildlife: During project construction, a qualified biologist shall permanently remove individuals of nonnative wildlife species. Invasive wildlife species (e.g., bullfrogs, crayfish, and centrarchid fish) would be removed from the project area and dispatched humanely if they are found during surveys or monitoring activities.	A qualified biologist shall permanently remove individuals of nonnative wildlife species dispatching them humanely.	Construction Contractor	Construc tion	
	Mitigation Measure BIO-5	Post Construction Restoration. Following construction, the creek 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 would be used to the extent possible.	Following construction, the construction contractor shall ensure the creek channel will be returned to its original contour and condition to the greatest extent possible.	Construction Contractor	Post Construc tion	

	<p>Mitigation Measure BIO-6</p>	<p><i>Invasive Species Abatement and Eradication Program.</i> The County of Monterey RMA-Public Works & Facilities 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. At a minimum, the abatement and eradication measures shall include:</p> <ul style="list-style-type: none"> • The construction contractor shall inspect and clean construction equipment at the beginning and end of each day and prior to transporting equipment from one (1) project location to another. • Soil and vegetation disturbance shall be minimized to the greatest extent feasible. • The construction contractor shall ensure that all active portions of the construction site are watered a minimum of twice daily or more often when needed due to dry or windy conditions to prevent excessive amounts of dust and seed dispersal. • The construction contractor shall ensure that all material stockpiled is sufficiently watered or covered to prevent excessive amounts of dust and seed dispersal. • Soil/gravel/rock shall be obtained from weed-free sources. • All invasive plant material removed from during construction shall be disposed of 	<p>County of Monterey RMA-Public Works & Facilities shall ensure that the construction contractor implements and adheres to an invasive species abatement and eradication program during construction. Including, but not limited to, the measures set forth in Mitigation Measure BIO-6. The invasive species abatement and eradication measures shall be included in the project design and contract specifications.</p>	<p>Construction Contractor</p>	<p>Construction</p>	
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<i>Permit Cond. Number</i>	<i>Mitigation/ Compliance 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>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.</p> <ul style="list-style-type: none"> • Only certified weed-free straw, mulch, and/or fiber rolls shall be used for erosion control. • Prior to completion of construction, disturbed areas adjacent to native vegetation shall be revegetated with plant species approved by the County of Monterey RMA-Public Works and the Caltrans District Biologist that are native to the vicinity. • The use of species listed in Cal IPC's California Invasive Plant Inventory that have a high or moderate rating in revegetated areas shall be avoided. • Eradication procedures (e.g., spraying and/or hand weeding) shall be implemented should an infestation occur; • The use of herbicides shall be prohibited within and adjacent to native vegetation, except as specifically authorized and monitored by the County of Monterey RMA-Public Works & Facilities and the Caltrans District Biologist. 				

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	Mitigation Measure BIO-7	<p>Nesting Birds: County of Monterey RMA-Public Works & Facilities 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. If vegetation removal and trimming cannot be avoided during the breeding season, then the following measures shall be implemented:</p> <ul style="list-style-type: none"> • All suitable nesting habitat within 50 ft 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 two (2) days (48 hours) of such activities. Areas outside the public ROW shall not be surveyed for active nests unless such areas are visible from the public ROW. • If an active nest is found, a qualified biologist shall delineate an appropriate buffer using plastic construction fencing (ESA fencing), pin flags, or other easily identified fencing material. If necessary, the biologist shall consult with the USFWS/CDFW to determine an appropriate buffer size. Typically, buffers range from 250 to 500 ft, depending on the 	County of Monterey RMA-Public Works & Facilities shall ensure the construction contractor avoids avoid vegetation removal and trimming during the breeding season for birds (i.e., between February 15 and August 31) to the extent practicable. If vegetation removal and trimming cannot be avoided during the breeding season, the construction contractor shall adhere to the measures set forth in Mitigation Measure BIO-7.	Construction Contractor	Prior to Construction; Construction	

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		<p>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.</p> <ul style="list-style-type: none"> 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/CDFW shall be contacted for further avoidance and minimization guidelines. 				
4.5 Cultural Resources						
	Compliance Measure CULT-1	<p>Discovery of Unknown Archaeological and Paleontological 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</p>	During construction, if cultural, archaeological, historical, or paleontological resources are encountered (surface or subsurface resources), the construction contractor shall halt work immediately within 50 meters (165 ft) of the find	Construction Contractor; County of Monterey RMA-Public Works & Facilities	Construction	

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		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 planner, 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)).	until a qualified professional archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) can evaluate it. The County of Monterey RMA-Planning and a qualified archaeologist 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)).			
	Compliance Measure CULT-2	Discovery of Human Remains. 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 (NAHC) within 24 hours of identification. Pursuant to Section 5097.9 and 5097.993 of the California Public Resources Code, the NAHC 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 the construction contractor shall halt all work, and 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 (NAHC) within 24 hours of identification.	Construction Contractor; County of Monterey RMA-Public Works & Facilities	Construction	
4.8 Hazards and Hazardous Materials						

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	Compliance Measure HAZ-1	<i>Emergency Response and Cleanup Plan.</i> 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.	Prior to commencement of construction activities, the construction contractor shall prepare an emergency response and cleanup plan. A copy of the plan shall be kept on-site.	Construction Contractor	Construction	

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	Mitigation Measure HAZ-1	<p><i>Construction Equipment Maintenance, Refueling, and Washing Activities.</i></p> <p>During construction, the construction contractor shall ensure that all equipment maintenance and refueling is conducted outside of the Alisal Creek channel, on level ground, away from concentrated flows of stormwater 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.</p>	During construction, the construction contractor shall ensure that all equipment maintenance and refueling is conducted outside of the Alisal Creek channel, on level ground, away from concentrated flows of stormwater and drainage courses, using the techniques set forth in Mitigation Measure HAZ-1.	Construction Contractor	Construction	
	Mitigation Measure HAZ-2	<p><i>Lead Based Paint Abatement Program.</i></p> <p>Prior to demolition, the construction contractor, in coordination with County of Monterey RMA-Public Works & Facilities and Caltrans, will develop a lead abatement program for the proper removal, handling, and disposal of surfaces</p>	Prior to demolition, the construction contractor, County of Monterey RMA-Public Works & Facilities, and Caltrans will develop a lead abatement program for the	Construction Contractor; County of Monterey RMA-Public	Prior to Construction	

<i>Permit Cond. Number</i>	<i>Mitigation/ Compliance 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>
		containing 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.	proper removal, handling, and disposal of surfaces containing LBP that are identified in the Asbestos and Lead-Containing Paint Assessment, Pesticides and Total Lead in Soils Survey Report. The construction contractor shall follow all applicable regulations of the Cal-OSHA Lead in Construction Standard (Title 8, California Code of Regulations, Section 1532.1).	Works & Facilities		
	Mitigation Measure HAZ-3	Limited Phase II Surface Water Investigation. Prior to completion of plans, specifications, and estimates (PS&E) and any work within or involving surface waters, County of Monterey RMA-Public Works & Facilities 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.	County of Monterey RMA-Public Works & Facilities shall ensure that a Phase II investigation be conducted to properly characterize surface water quality in the project area prior to any work involving surface waters.	County of Monterey RMA-Public Works & Facilities	Prior to completion of PS&E	

<i>Permit Cond. Number</i>	<i>Mitigation/ Compliance 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>
4.9 Hydrology and Water Quality						
	Mitigation Measure WQ-1	<p>Construction General Permit Waiver. Prior to the start of construction, a waiver shall be obtained for the 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-Public Works & Facilities or its designated contractor shall complete the electronic Notice of Intent and Sediment Risk form through the 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).</p> <p>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 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</p>	<p>County of Monterey RMA-Public Works & Facilities shall obtain a waiver for the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) Order No. 2009-0009-DWQ. County of Monterey RMA-Public Works & Facilities or its designated contractor shall complete the electronic Notice of Intent and Sediment Risk form through the SWRCB Stormwater Multi-Application Reporting and Tracking System (SMARTS). If construction activities continue beyond the projected completion date provided on the waiver certification, the County shall submit the new construction schedule through SMARTS. If the value of the rainfall erosivity factor ("R" in the Revised Universal Soil Loss Equation) is greater than 5 the County shall apply for coverage under the Construction General Permit.</p>	County of Monterey RMA-Public Works & Facilities	Prior to Construction	

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		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.				
	Mitigation Measure WQ-2	Construction BMPs. Prior to the start of construction, the County of Monterey RMA-Public Works & Facilities shall ensure that the construction contractor prepares and implements a 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 BMPs to control the pollutants (e.g., Sediment Control, Erosion Control, and Good Housekeeping BMPs).	County of Monterey RMA-Public Works & Facilities shall ensure that the construction contractor prepares and implements a SWPPP to address potential impacts to water quality prior to construction.	Construction Contractor; County of Monterey RMA-Public Works & Facilities	Prior to Construction	
	Mitigation Measure WQ-3	Erosion Control Plan. During the PS&E phase, an Erosion Control Plan shall be prepared and implemented by the County of Monterey RMA-Public Works & Facilities 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 proposed	County of Monterey RMA-Public Works & Facilities or its designated contractor shall prepare and implement an Erosion Control Plan in compliance with the provisions of the Monterey County Erosion Control Ordinance (Municipal Code, Title 16, Chapter 16.12).	Construction Contractor; County of Monterey RMA-Public Works & Facilities	During the PS&E phase	

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		methods for the control of runoff, erosion, and sediment movement during project construction.				
4.12 Noise						
	Compliance Measure NO-1	Construction Noise Compliance Measure. The construction contractor shall ensure compliance with the Monterey County General Plan Policy S-7.9 by ensuring no construction activities occur within 500 ft 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.	The construction contractor shall ensure noise compliance with the Monterey County General Plan Policy S-7.9 by ensuring no construction activities occur within 500 ft of sensitive receptors during the nighttime hours of 7:00 p.m. to 7:00 a.m.	Construction Contractor	Construction	
	Mitigation Measure NO-1	Temporary Construction Barriers. Temporary construction barriers, providing a maximum of 10 dBA reduction, shall be required when heavy construction activities occur within 70 ft of the residence at 15 Hartnell Road.	The construction contractor shall install temporary construction barriers providing a maximum of 10 dBA reduction when heavy construction activities occur within 70 ft of the residence at 15 Hartnell Road.	Construction Contractor	Construction	
4.16 Transportation and Traffic						
	Mitigation Measure TR- 1	TMP. 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	Prior to construction, the construction contractor shall be required to submit a TMP to the County of Monterey Director of Public Works or appropriate designee for review and approval. County of Monterey	Construction Contractor	Prior to Construction	

<i>Permit Cond. Number</i>	<i>Mitigation/ Compliance 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>
		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.	RMA-Public Works & Facilities shall ensure the construction contractor adheres to all requirements of the TMP.			
4.17 Tribal Cultural Resources						
	Mitigation Measure TCR-1	<p><i>Tribal Cultural Resources Monitoring and Artifact Return:</i></p> <p>Prior to construction, the County of Monterey RMA-Public Works & Facilities shall contact the OCEN and request that it submit the name of the designated monitor.</p> <p>The designated OCEN monitor shall be on site during all ground-disturbing activities.</p> <p>Should a tribal cultural resource be encountered during ground-disturbing activities, all ground-disturbing activities within 25 ft 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</p>	Prior to construction, the County of Monterey RMA-Public Works & Facilities shall contact the 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 ft shall be redirected and the OCEN monitor shall assess the resource and determine what actions shall be taken.	County of Monterey RMA-Public Works & Facilities	Prior to Construction	

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		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-Public Works & Facilities for review. Any artifacts or significant tribal cultural resources discovered during ground-disturbing activities shall be given to an OCEN tribal representative.				