

Impacts to Nesting Birds

Mitigation Measure BIO-1A

Prior to construction activities, the project proponent shall retain a qualified biologist to conduct an Employee Education Program for the construction crew. The biologist shall meet with the construction crew at the project site at the onset of construction to educate the construction crew on the following: a) a review of the project boundaries; b) all special-status species that may be present, their habitat, and proper identification; c) the specific mitigation measures that will be incorporated into the construction effort; d) the general provisions and protections afforded by the regulatory agencies; and e) the proper procedures if a special-status animal is encountered within the project site.

Mitigation Measure BIO-1B

Construction activities that may directly (e.g., vegetation removal) or indirectly affect (e.g. noise/ground disturbance) nesting raptors and other protected avian species shall be timed to avoid the breeding and nesting seasons (February 1 through September 15).

If construction activities must occur during the breeding and nesting season (February 1 through September 15), a qualified biologist shall conduct pre-construction surveys for nesting raptors and other protected avian species within 300 feet of the proposed construction activities. Pre-construction surveys should be conducted no more than seven (7) days prior to the start of the construction activities during the early part of the breeding season (February through April) and no more than 14 days prior to the initiation of these activities during the late part of the breeding season (May through August).

If raptors or other protected avian nests are identified during the pre-construction surveys, the qualified biologist would notify the project proponent and an appropriate no-disturbance buffer would be imposed within which no construction activities or disturbance would take place (generally 300 feet in all directions for raptors; other avian species may have species-specific requirements) until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by a qualified biologist.

Impacts to Special-Status Wildlife Species – Northern California Legless Lizard and Monterey Shrew

Mitigation Measure BIO-2A

The project applicant will comply with the CESA and will coordinate with the CDFW to determine whether incidental take authorization for CTS is required prior to issuance of a grading permit. If it is determined that authorization for the incidental take of this species is required from the CDFW, the project applicant will comply with the CESA to obtain a 2081 incidental take permit from CDFW prior to the issuance of a grading permit. Permit requirements typically involve the preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The project applicant would be required to retain a qualified biologist to prepare a mitigation plan, which will include, but is not limited to, identifying avoidance and minimization measures, and identifying a mitigation strategy that

includes a take assessment, avoidance and minimization measures, compensatory mitigation lands, success criteria, and funding assurances. The project applicant would be required to implement the approved plan and any additional permit requirements.

Mitigation Measure BIO-2B

The project will comply with the ESA and conduct consultation with the USFWS to determine whether incidental take authorization for CTS is required prior to issuance of a grading permit. If it is determined that authorization for the incidental take of this species is required from the USFWS, the project will comply with the ESA to obtain Section 7 or Section 10 authorization from USFWS at the project-level prior to the issuance of a grading permit. Permit requirements typically involve the preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The project applicant would be required to retain a qualified biologist to prepare a mitigation plan, which will include, but is not limited to, identifying avoidance and minimization measures, and identifying a mitigation strategy that includes a take assessment, avoidance and minimization measures, compensatory mitigation lands, success criteria, and funding assurances. The project applicant would be required to implement the approved plan and any additional permit requirements.

Impacts to Special Status Wildlife Species – California Red-Legged Frog

Mitigation Measure BIO-3A

A qualified biologist will survey the proposed project area and immediately adjacent areas 48 hours before and the morning of the onset of work activities for the presence of CRLF. If any life stage of CRLF is observed, construction activities will not commence until the USFWS is consulted and appropriate actions are taken to allow project activities to continue.

Mitigation Measure BIO-3B

During ground disturbing and vegetation removal activities, a qualified biologist shall survey appropriate areas of the construction site daily before the onset of work activities for the presence of CRLF. The qualified biologist shall remain available to come to the site if a CRLF is identified until all ground disturbing activities are completed. If any life stage of the CRLF is found and these individuals are likely to be killed or injured by work activities, the qualified biologist shall be contacted, and work shall stop in that area until the CRLF has moved on its own out of the work area and the USFWS has been contacted. Construction activities will not resume until the USFWS is consulted and appropriate actions are taken to allow project activities to continue.

Mitigation Measure BIO-3C

After ground disturbing and vegetation removal activities are complete, or earlier if determined appropriate by the qualified biologist, the qualified biologist will designate a construction monitor to oversee on-site compliance with all avoidance and minimization measures. The qualified biologist shall ensure that this construction monitor receives the sufficient training in the identification of CRLF. The construction monitor or the qualified biologist is authorized to stop work if the avoidance and/or minimization measures are not being followed. If work is

stopped, the USFWS shall be notified. The qualified biologist and the construction monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the proposed project.

Mitigation Measure BIO-3D

To prevent inadvertent entrapment of CRLF during project construction, all excavated, steep-walled holes or trenches more than two feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals.

Mitigation Measure BIO-3E

Only tightly woven fiber netting or similar material may be used for erosion control at the project site. Coconut coir matting is an acceptable erosion control material. No plastic monofilament matting will be used for erosion control, as this material may ensnare wildlife, including CRLF.

Mitigation Measure BIO-3F

Because dusk and dawn are often the times when CRLF are most actively foraging and dispersing, all construction activities should cease one half hour before sunset and should not begin prior to one half hour after sunrise.

Mitigation Measure BIO-3G

All trash that may attract predators shall be properly contained, removed from the construction site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

Impacts to Sensitive Habitats During Construction

Mitigation Measure BIO-4

Prior to construction activities, exclusionary fencing shall be placed to keep construction vehicles and personnel from impacting potentially jurisdictional waters and riparian habitat outside of work areas. A biological monitor shall supervise the installation of exclusionary fencing and monitor at least once per week until construction is complete to ensure that the protective exclusionary fencing remains intact.

Impacts Related to Inadvertent Discovery of Archaeological Resources

Mitigation Measure CR-1

If archaeological resources are unexpectedly discovered during construction, work shall be halted within 50 meters (± 160 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented, with the concurrence of the District.

Mitigation Measure CR-2

If human remains are unexpectedly discovered during construction, work shall be halted within 50 meters (\pm 160 feet) of the find. The County Coroner shall be notified in accordance with provisions of Public Resources Code 5097.98-99 in the event human remains are found and the Native American Heritage Commission shall be notified in accordance with the provisions of Public Resources Code section 5097 if the remains are determined to be of Native American origin. The Commission will designate a Most Likely Descendant who will be authorized to provide recommendations for management of the Native American human remains. (California Public Resources Code Section 5097.98; and Health and Safety Code Section 7050.5)