

**MITIGATION MONITORING PLAN
CEQA-23-0011 (YUBA COUNTY STAR BEND BOAT RAMP)**

<p>BIO-1</p> <p>1. It is recommended that a focused survey for special-status plant species be conducted within and surrounding the project areas (within the areas of potential impact) to document any listed species that may be occurring within the proximity of the project site(s). A focused survey is an on-site survey that is limited in scope, content, length and designed to gather information on a specific issue(s). Because of the CNDDB generated list of focal special status species targeted for this survey, the habitats of potential likelihood of occurrence have been pre-scoped and have been predetermined for their potential presence based on habitat features.</p> <p>Therefore, the list of potentially occurring species has already been generated and a focused rare plant survey is recommended. During the surveys, a botanist(s) is to conduct a systematic search of the project area for target plant species. They may use a variety of techniques, including visual surveys, transect surveys, and quadrat sampling, to detect and document the presence of plant species. In addition to documenting target species, the botanist(s) should also document the overall plant community within the project area, including vegetation cover, plant density, and plant diversity.</p> <p>2. If rare or sensitive plant species are identified during the survey, appropriate mitigation measures will be developed and implemented to avoid or minimize impacts to those species. These measures may include adjusting the project design to avoid impacts to sensitive plant populations or implementing measures to protect the plants during construction activities.</p>		
Timing/Implementation	Enforcement/Monitoring	
Upon start of construction activities.	Qualified Botanist & Yuba County Public Works Department	
Performance Criteria	Verification Cost	
N/A	N/A	
		Date Complete (If applicable)

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<p>BIO-2:</p> <p>1. For the giant garter snake, construction shall be restricted to occur between May 1 and October 1 to ensure that any snakes in the vicinity are restricted to the immediate environs of the adjacent perennial waterway; or, if construction occurs between October 2 and April 30, construction activities shall not take place within 200 feet of the perennial waterway.</p> <p>2. Construction shall not occur within 10 to 15 feet of the nearby watercourse from May 1 to October 1. Alternatively, a qualified biologist shall be onsite during any construction activities that affect the riparian area within 10-15 feet of the river bank.</p>		
<p>Timing/Implementation Upon start of construction activities.</p>	<p>Enforcement/Monitoring A Qualified Biologist & Yuba County Public Works Department</p>	
<p>Performance Criteria N/A</p>	<p>Verification Cost N/A</p>	
		<p>Date Complete (If applicable)</p>

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BIO-3:

To ensure no future construction activities occasion to affect any special status species birds or their nests, the following measures are proposed:

1. If any site disturbance or construction activity for any phase of development begins outside the February 1 to August 31 breeding season, a preconstruction survey for active nests shall not be required.

2. If any site disturbance or construction activity for any phase of development is scheduled, survey for active tree nests and ground nests from publicly accessible areas within 14 days prior to site disturbance for any phase of development. The survey area shall cover the construction site and a 100-foot radius surrounding the construction site. If no nesting migratory birds are found, then further mitigation measures are not necessary.

3. If an active nest of a migratory bird, or other CDFW-protected bird is discovered that may be adversely affected by any site disturbance, or an injured or killed bird is found, the project applicant shall immediately:
 - Stop all work within a 100-foot radius of the discovery.
 - Notify Yuba County Public Works.
 - Do not resume work within the 100-foot radius until authorized by the biologist
 - The biologist shall establish a minimum 100-foot Environmentally Sensitive Area (ESA) around the nest. The ESA may be reduced if the biologist determines that a smaller ESA would still adequately protect the active nest. Further work may not occur within the ESA until the biologist determines that the nest is no longer active.

Timing/Implementation 14 days prior to construction activities.	Enforcement/Monitoring Yuba County Public Works Department	
Performance Criteria N/A	Verification Cost N/A	
		Date Complete (If applicable)

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BIO-4:

Prior to any ground disturbance, the following measures will be taken to protect special species birds:

1. A pre-construction nesting bird survey shall be conducted on-site within 15 days prior to construction if construction associated with the project would commence between March 1st and September 1st ("the nesting season"). If disturbance associated with the project would occur outside of the nesting season, no surveys shall be required.
2. If Swainson's hawk are identified as nesting on the project site, a non-disturbance buffer of 75- feet shall be established or as otherwise prescribed by a qualified ornithologist. The buffer shall be demarcated with painted orange lath or via the installation of orange construction fencing. Disturbance within the buffer shall be postponed until a qualified ornithologist has determined that the young have attained sufficient flight skills to leave the area or that the nesting cycle has otherwise completed.
3. If the proposed project requires a loss of potential foraging habitat than the project proponent shall be responsible for mitigating on the project site at a ratio of 1:1 if the project is within a mile, 0.5:1 ratio if the project is within a half-mile, 0.75:1 ratio if the project is within five miles, and 0.5:1 ratio if the project is within ten miles, per the CDFW's 1994 Guidance on Swainson's Hawk Mitigation.

<p>Timing/Implementation 15 days prior to construction activities.</p>	<p>Enforcement/Monitoring Yuba County Public Works Department</p>	
<p>Performance Criteria N/A</p>	<p>Verification Cost N/A</p>	
		<p>Date Complete (If applicable)</p>

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BIO-5:

Protective measures for the valley elderberry longhorn beetle include:

1. Fence and flag all areas to be avoided during construction activities. In areas where encroachment on the 100-foot buffer has been approved by the Service, provide a minimum setback of at least 20 feet from the dripline of each elderberry plant.
2. Brief contractors on the need to avoid damaging the elderberry plants and the possible penalties for not complying with these requirements.
3. Erect signs every 50 feet along the edge of the avoidance area with the following information: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs should be clearly readable from a distance of 20 feet and must be maintained for the duration of construction.
4. Instruct work crews about the status of the beetle and the need to protect its elderberry host plant

Restoration and maintenance measures include:

1. Restore any damage done to the buffer area (area within 100 feet of elderberry plants) during construction. Provide erosion control and re-vegetate with appropriate native plants.
2. Buffer areas must continue to be protected after construction from adverse effects of the project. Measures such as fencing, signs, weeding, and trash removal are usually appropriate.
3. No insecticides, herbicides, fertilizers, or other chemicals that might harm the beetle or its host plant should be used in the buffer areas, or within 100 feet of any elderberry plant with one or more stems measuring 1.0 inch or greater in diameter at ground level.
4. The applicant must provide a written description of how the buffer areas are to be restored, protected, and maintained after construction is completed.
5. No mowing should occur within five (5) feet of elderberry plant stems. Mowing must be done in a manner that avoids damaging plants (e.g., stripping away bark through careless use of mowing/ trimming equipment).

Timing/Implementation Upon start of construction activities.	Enforcement/Monitoring Yuba County Public Works Department	
Performance Criteria N/A	Verification Cost N/A	
		Date Complete (If applicable)

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BIO-6:

To protect bats, the following mitigation measures shall be taken:

- (1) limiting project activities to daytime hours and the winter;
- (2) avoiding the use of lights during nighttime hours;
- (3) not operating or parking vehicles and equipment with internal combustion engines close to any area where bats are present;
- (4) planning work to avoid restricting bats' airspace access to roost sites; (5) using exclusion devices when bats are absent to prevent them from occupying the work areas;
- (6) using fencing or flagging to identify buffer zones around roosting bats as environmentally sensitive areas (ESAs) where work activities and construction personnel are prohibited.

<p>Timing/Implementation Upon start of construction activities.</p>	<p>Enforcement/Monitoring Yuba County Public Works Department</p>	
<p>Performance Criteria N/A</p>	<p>Verification Cost N/A</p>	
		<p>Date Complete (If applicable)</p>

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BIO-7:

To protect fish species, the following measures shall be implemented:

1. In-water construction activities will be restricted to occur between July 1 and August 31.
2. Operation of equipment and placement of materials within the channel shall be conducted slowly and deliberately to alert and allow adult and juvenile fish to move away from the work area. When first entering or crossing a channel each day, a construction monitor shall walk ahead of the equipment working to alert any fish and allow them to move from the work area.
3. If water is drafted from the Feather River for construction purposes, water pump intakes shall be screened in compliance with California Department of Fish and Wildlife (CDFW) and National Marine Fisheries Service salmonid-screening specifications.

Timing/Implementation Upon start of water construction activities.	Enforcement/Monitoring Yuba County Public Works Department	
Performance Criteria N/A	Verification Cost N/A	
		Date Complete (If applicable)

**MITIGATION MONITORING PLAN
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CR-1: Inadvertent Discoveries of Objects of Cultural Significance

If archaeological components are encountered during ground-disturbing activities, all ground disturbing work at the find location and 100-foot buffer placed around the area until a qualified archaeologist can assess the significance of the finding and provide (if needed) avoidance and/or data recovery plan.

Should artifacts or unusual amounts of stone, bone, or shell be uncovered during construction activities, an archeologist should be consulted for on-the-spot evaluation of the finding. If the bone appears to be human, state law requires that the Yuba County Coroner be contacted. If the Coroner determines that the bone is human and is most likely Native American in origin, he must contact the Native American Heritage Commission (916-322-7791).

<p>Timing/Implementation Prior to the start of, and during, construction activities.</p>	<p>Enforcement/Monitoring Yuba County Public Works Department</p>	
<p>Performance Criteria N/A</p>	<p>Verification Cost N/A</p>	
		<p>Date Complete (If applicable)</p>

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NOISE-1: Reduce Impacts From Noise

To mitigate noise related impacts, the Project shall require all contractors to comply with the following operational parameters:

- Restrict construction activities to time periods between 7:00 am and 5:00 pm when there is the least potential for disturbance.

<p>Timing/Implementation Prior to the start of, and during, construction activities.</p>	<p>Enforcement/Monitoring Yuba County Public Works Department</p>	
<p>Performance Criteria N/A</p>	<p>Verification Cost N/A</p>	
		<p>Date Complete (if applicable)</p>

**MITIGATION MONITORING PLAN
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TCR-1: Tribal Monitoring

The project proponent and its construction contractor(s) shall implement the following measure to identify these resources at the earliest possible time during project-related earthmoving activities:

- Tribal Representatives and Tribal Monitors act as a representative of their Tribal government and are qualified professionals that have the authority and expertise to identify sites or objects of cultural value to Native American Tribes and recommend appropriate treatment of such sites or objects.
- Appropriate treatment of objects may include:
 - a) Recordation of the resource
 - b) Reburial onsite of the cultural objects in a designated area of no future disturbance.
- Consulting Tribes shall be contacted at least 2 weeks prior to project ground-disturbing activities and will be invited to observe construction activities. The duration of the monitoring and construction schedule shall be determined at this time.
- To track the implementation of this measure, field-monitoring activities will be documented on a Tribal Monitor log. The total time commitment of the Tribal Monitor will vary depending on the intensity and location of construction and the sensitivity of the area, including the number of finds.
- A contracted Tribal Monitor/s from geographically and culturally affiliated Native American Tribes shall monitor the vegetation grubbing, stripping, grading, and other ground-disturbing activities in the project area. The types of ground-disturbing activities requiring monitoring may be determined in advance through tribal consultation.
- The Tribal Monitor/s shall wear the appropriate safety equipment.
- Tribal Monitors or Tribal Representatives have the authority to request that work be temporarily paused, diverted, or slowed within 100 feet of the direct impact area if sites or objects of significance are identified.
- Only a Tribal Monitor or Representative from a culturally and geographically affiliated tribe has the expert opinion to identify TCRs, or objects associated with TCRs, and will recommend appropriate treatment and final disposition of TCRs, cultural, or archaeological resources, based on tribal cultural significance.

Timing/Implementation

2 weeks prior project-related earthmoving activities.

Enforcement/Monitoring

Tribal Representatives and Tribal Monitors and Yuba County Public Works Department

Performance Criteria

N/A

Verification Cost

N/A

Date Complete (If applicable)

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TCR-2: Unanticipated/Inadvertent Discoveries Of TCRs

If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs under CEQA and UAIC protocols, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by UAIC or by the California Native American Tribe that is traditionally and culturally affiliated with the project area.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB52, have been satisfied.

<p>Timing/Implementation Prior to the start of, and during, construction activities.</p>	<p>Enforcement/Monitoring Yuba County Public Works Department</p>	
<p>Performance Criteria N/A</p>	<p>Verification Cost N/A</p>	
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TRC-3: Treatment and Disposition of Cultural Objects

Cultural objects, including isolated artifacts of indigenous origin, are significant Tribal Cultural Resources to UAIC and have been identified, or have the potential to be identified, within the project area. Impacts to such objects shall be mitigated by implementing culturally appropriate treatment of such objects when they are encountered during construction activities or when they are recovered as part of cultural resource surveys or identification efforts. Culturally appropriate treatment includes (but is not limited to) minimizing handling of cultural objects and leaving such objects in place within the landscape, if feasible. Culturally inappropriate treatment includes curation of such objects at museums or collection of objects for personal use (only applies to private property). If such objects have been identified, or have already been removed from the project area, then culturally appropriate treatment includes the return of such objects to the project area and placement in a location not subject to future impacts. Per the inadvertent discoveries mitigation measure, the CEQA lead agency representative shall notify UAIC whenever cultural objects are found, and coordinate culturally appropriate treatment in coordination with a representative from UAIC.

Timing/Implementation

7 days prior to the start of, and during, construction activities.

Enforcement/Monitoring

Yuba County Public Works Department

Performance Criteria

N/A

Verification Cost

N/A

Date Complete (If applicable)