

# Appendix G

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## Mitigation Monitoring and Reporting Program

# MITIGATION MONITORING AND REPORTING PROGRAM

## EAST LINE STREET BRIDGE REPLACEMENT PROJECT

**Purpose of Mitigation Monitoring and Reporting Program:** The California Environmental Quality Act (CEQA), Public Resources Code Section 21081.6, requires that a Mitigation Monitoring and Reporting Program (MMRP) be established upon completing findings. CEQA stipulates that “the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

This MMRP has been prepared in compliance with Section 21081.6 of CEQA to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the project, as required. A table (attached) has been prepared to assist the responsible parties in implementing the MMRP. The table identifies individual mitigation measures, monitoring/mitigation timing, the responsible person/agency for implementing the measure, and space to confirm implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the Initial Study and Mitigated Negative Declaration.

The City of Bishop is the lead agency for the project under CEQA and shall administer and implement the MMRP. The City is responsible for reviewing all monitoring reports, enforcement actions, and document disposition. The City shall rely on information provided by the project site observers/monitors (e.g., construction manager, project manager, biologist, archaeologist, etc.) as accurate and up-to-date and shall provide personnel to field check mitigation measure status, as required.

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**MITIGATION MONITORING AND REPORTING PROGRAM**  
**East Line Street Bridge Replacement Project**

Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
<b>BIOLOGICAL RESOURCES</b>				
<p><b>BIO-1: Dewatering Plan and Water Diversion Activities</b>                      The project proponent will prepare a dewatering plan that complies with all applicable permit conditions. In addition to the dewatering plan, the project proponent shall have a fish relocation plan prepared by a qualified biologist that will be submitted to CDFW for approval.</p> <p>Water diversion activities shall be conducted under the supervision of a qualified biologist. The biologist shall survey the area to be dewatered immediately after installation of the dewatering device and prior to the continuation of dewatering activities, or as specified in the fish relocation plan. In the event that fish are encountered during the dewatering process, a CDFW approved biologist shall relocate the fish as specified in the plan. Captured fish, or other aquatic species, shall be transported and released into the Bishop Creek Canal, or other designated location, up or downstream of the construction zone. The plan may include procedures for dealing with non-native fish or other aquatic species.</p>	Prior to construction.	Qualified Biologist; Project Applicant.		
<p><b>BIO-2: Environmental Awareness Training</b>                      A qualified biologist shall conduct a workers environmental awareness training to all project-related personnel prior to the initiation of work. The training shall include identification of special-status fish species with potential to occur within the project site, required practices before the start of construction, general measures that are being implemented to protect the species as they relate to the project, penalties for non-compliance, and boundaries of the permitted disturbance zones. Upon completion of the training, all construction personnel shall sign a form stating that they have attended the training and understand all the measures. Proof of this instruction shall be kept on file with the biologist on-site and the project proponent.</p>	Prior to initiation of work.	Qualified Biologist; Project-related personnel.		

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<p><b>BIO-3: Swainson’s Hawk Surveys</b> Prior to initiation of construction activities during the Swainson’s hawk breeding season (March 1 through September 15), the project proponent shall determine the presence of active Swainson’s hawk nests in and within 0.5 mile of the project site using the most recent published survey protocols (i.e., three surveys by a qualified biologist in each of the two periods preceding the construction start date; SHTAC 2000). If an active Swainson’s hawk nest is discovered, the applicant shall initiate consultation with CDFW to determine what measures need to be implemented in order to ensure that nesting hawks remain undisturbed. The measures selected would depend on many variables, including the distance of activities from the nest, the types of activities, and whether the landform between the nest and activities provides any kind of natural screening. If no active nests are discovered, no further action is required.</p>	Prior to initiation of construction activities.	Qualified Biologist.		
<p><b>BIO-4: Nesting Bird Surveys</b> To avoid impacts to nesting birds, all ground disturbing activity should be completed between September 1 and January 31, if feasible.</p> <p>If development activities occur during the nesting bird season, then a qualified biologist should conduct a pre-construction nesting bird survey no more than 14 days prior to initiation of project activities. The survey area should include suitable raptor nesting habitat within 500 feet of the project boundary (inaccessible areas outside of the Study Area can be surveyed from the site or from public roads using binoculars or spotting scopes). A 0.5 mile survey buffer would be implemented for Swainson’s hawk, as described in Section 5.1.3. Areas that have been inactive for more than 14 days during the avian breeding season must be re-surveyed prior to resumption of project activities. If no active nests are identified, no further mitigation is required. If active nests are identified, the following measure should be implemented:</p> <ul style="list-style-type: none"> <li>• A species-specific buffer (typically 75 to 100 feet for non-raptors, and to 250 to 500 feet for raptors) should be established by a qualified biologist around active nests and no construction activities within the buffer should be allowed</li> </ul>	No more than 14 days prior to initial of project activities.	Qualified Biologist.		

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until a qualified biologist has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest, or the nest has failed). Encroachment into the buffer may occur at the discretion of a qualified biologist. Any encroachment into the buffer should be monitored by a qualified biologist to determine whether nesting birds are being impacted.				
<p><b>BIO-5: Special-status Bat Surveys</b></p> <p>A qualified wildlife biologist should conduct surveys for special-status bats during the appropriate time of day to maximize detectability to determine if bat species are roosting near the work area no more than 14 days prior to beginning ground disturbance and/or construction. Survey methodology may include visual surveys of bats (e.g., observation of bats during foraging period), inspection for suitable habitat, bat sign (e.g., guano), or use of ultrasonic detectors (e.g., Anabat, etc.). The type of survey will depend on the condition of the potential roosting habitat. If no bat roosts are found, then no further study is required.</p> <ul style="list-style-type: none"> <li>• If evidence of bat use is observed, then the number and species of bats using the roost will be determined. Bat detectors may be used to supplement survey efforts.</li> <li>• If roosts are determined to be present and have the likelihood to be disturbed by construction, then a qualified biologist will determine if the bats should be excluded from the roosting site before work adjacent to the roost occurs. A mitigation program addressing compensation, exclusion methods, and roost removal procedures will be developed prior to implementation if exclusion is recommended. Exclusion methods may include use of one-way doors at roost entrances (bats may leave, but not reenter), or sealing roost entrances when the site can be confirmed to contain no bats. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young).</li> </ul>	No more than 14 days prior to ground disturbance and/or construction.	Qualified Biologist.		

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<b>CULTURAL RESOURCES</b>				
<p><b>CUL-1: Accidental Discovery of Cultural Resources</b>            In the event that cultural resources are exposed during ground-disturbing activities, construction activities shall be halted within 100 feet of the discovery. Cultural resources could consist of but are not limited to stone, bone, wood, or shell artifacts, or features, including hearths, structural remains, or historic dumpsites. If the resources cannot be avoided during the remainder of construction, the retained archaeologist, who meets the Secretary of the Interior’s Professional Qualifications Standards, shall assess the resource, and provide appropriate management recommendations. If the discovery proves to be CRHR- or NRHP-eligible, additional work, such as data recovery excavation, may be warranted and shall be discussed in consultation with the Lead Agency.</p>	Immediately upon discovery.	City of Bishop; Qualified Archaeologist.		
<p><b>CUL-2: Accidental Discovery of Human Remains</b>            Although considered highly unlikely, there is always the possibility that ground-disturbing activities during construction may uncover previously unknown human remains. In the event of an accidental discovery or recognition of any human remains, PRC Section 5097.98 must be followed. Once project-related earthmoving begins and if there is a discovery or recognition of human remains, the following steps shall be taken:</p> <ol style="list-style-type: none"> <li>1. There shall be no further excavation or disturbance of the specific location or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains are Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in PRC Section 5097.98, or</li> </ol>	Immediately upon discovery.	City of Bishop; County Coroner.		

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<p>2. Where the following conditions occur, the landowner or their authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendent or on the project area in a location not subject to further subsurface disturbance:</p> <ul style="list-style-type: none"> <li>• The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission;</li> <li>• The descendent identified fails to make a recommendation; or</li> </ul> <p>The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner.</p>				
<b>GEOLOGY AND SOILS</b>				
<p><b>GEO-1: Avoid and Minimize Impacts to Paleontological Resources</b> In the event a paleontological or other geologically sensitive resource (such as fossils or fossil formations) are identified during construction, all excavations within 100 feet of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at the City of Bishop who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the City shall implement those measures which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code Section 21083.2.</p>	Immediately upon discovery.	Qualified paleontologist; City of Bishop.		
<b>NOISE</b>				
<p><b>Mitigation Measure NOI-1: Construction Hours Limits</b> The City shall ensure that project noise generating construction activity, including hauling and staging of material and equipment, does not occur between the hours of 10:00 p.m. and 7:00 a.m. If construction activity is to be performed by contractors, the City shall specify the construction hours limitations on contract documents.</p>	During project construction activities.	City of Bishop.		



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<p><b>Mitigation Measure NOI-2: Construction Vibration Limits</b> The City shall ensure that, during project construction activities, all vibratory rollers are used in static mode only (no vibrations) when operating within 20 feet of any occupied structure. If construction activity is to be performed by contractors, the City shall specify the vibratory roller use limitations on contract documents.</p>	During project construction activities.	City of Bishop.		
<b>TRIBAL CULTURAL RESOURCES</b>				
<p><b>Mitigation Measure TCR-1: Unanticipated Discovery of TCRs</b> 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 Native American Representative from traditionally and culturally affiliated Native American Tribes that requested consultation on the project shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist, who meets the Secretary of Interior’s Standards and Qualifications for Archaeology, may also assess the significance of the find in joint consultation with Native American Representatives to ensure that Tribal values are considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to culturally appropriate treatment, if avoidance and preservation cannot be accommodated.</p>	Immediately upon discovery.	City of Bishop; Native American Representative; Qualified Cultural Resources Specialist.		

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