

# MITIGATION MONITORING AND REPORTING PROGRAM

## INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.), the Nevada Irrigation District (NID) prepared an Initial Study/Mitigated Negative Declaration (IS/MND) that identified adverse environmental impacts related to implementation of the Alta Sierra Reservoir Replacement Project (project). The IS/MND also identifies mitigation measures that would clearly reduce the identified impacts to a less-than-significant level, or that would eliminate these impacts all together.

CEQA Guidelines require public agencies “to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment.” A Mitigation Monitoring and Reporting Program (MMRP) is required for the project because the IS/MND identifies potential significant adverse impacts related to project implementation, and mitigation measure have been identified to reduce those impacts. Adoption of the MMRP would occur along with approval of the project.

## PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This MMRP has been prepared as a mechanism for NID to monitor that all required mitigation measures are implemented and completed in a satisfactory manner before and during project construction and operation. The MMRP may be modified by NID during project implementation, as necessary, in response to changing conditions or other refinements. The attached table has been prepared to assist the responsible parties in implementing the mitigation measures. The table identifies individual mitigation measures, monitoring/mitigation timing, person/agency responsible for implementing each measure, monitoring and reporting procedures, and provides space to confirm implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the IS/MND.

## ROLES AND RESPONSIBILITIES

Unless otherwise specified herein, NID is responsible for taking all actions necessary to implement the mitigation measures under its jurisdiction according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. NID, at its discretion, may delegate implementation responsibility or portions thereof to a licensed contractor or other designated agent.

NID is responsible for overall administration of the MMRP and for verifying that the construction contractor has completed the necessary actions for each measure. NID will designate a project manager to oversee implementation of the MMRP. Duties of the project manager include the following:

- ▲ Verify routine inspections of the construction site are conducted by appropriate NID staff; check plans, reports, and other documents required by the MMRP; and conduct report activities.
- ▲ Serve as a liaison between NID and the contractor regarding mitigation monitoring issues.
- ▲ Complete forms and maintain reports and other records and documents generated for the MMRP.
- ▲ Coordinate and ensure that corrective actions or enforcement measures are taken, if necessary.

## REPORTING

NID's project manager will prepare a monitoring report upon completion of project construction describing compliance with the required mitigation measures. Information regarding inspections and other requirements will be compiled and explained in the report. The report will be designed to simply and clearly identify whether mitigation measures have been adequately implemented. At a minimum, each report will identify the mitigation measures or conditions to be monitored for implementation, whether compliance with the mitigation measures or conditions has occurred, the procedures used to assess compliance, and whether further action is required. The report will be retained in the NID project files.

## MITIGATION MONITORING AND REPORTING PLAN TABLE

The categories identified in the attached MMRP table are described below.

- ▲ Mitigation Measure – This column provides the text of the mitigation measures identified in the IS/MND.
- ▲ Timing – this column identifies the time frame in which the mitigation will be implemented.
- ▲ Enforcement – this column identifies the party responsible for enforcing compliance with the requirements of the mitigation measure.
- ▲ Dated Signature for Verification of Compliance – this column is to be dated and signed by the person (either project manager or his/her designee) responsible for verifying compliance with the requirements of the mitigation measure.

**Alta Sierra Reservoir Replacement Project Mitigation Monitoring and Reporting Program Table**

Mitigation Measure	Timing	Implementation	Enforcement	Dated Signature for Verification of Compliance
<b>3.4 Biological Resources</b>				
<p><b>Mitigation Measure 3.4-1: Pre-construction surveys for nests.</b>                      If construction activity, tree removal, trimming, or pruning on the project site begins during the nesting season for protected bird species in this region (generally late February through early September), a qualified biologist shall conduct preconstruction surveys in areas of suitable nesting habitat for common raptors and bird species protected by the Migratory Bird Treaty Act or California Fish and Game Code. Surveys will be conducted no more than 14 days before any ground disturbance is expected to occur and will extend at least 100 feet from the edge of the disturbance activity for non-raptor bird species and at least 500 feet of project activity for all raptor species potentially nesting in the area. Surveys will cover potential nesting habitat for tree and shrub nesting species as well as ground nesting species.</p> <p>If no active nests are found, no further mitigation is required. If active nests are found, the construction contractor will avoid impacts on such nests by establishing a no-disturbance buffer around the nest. The appropriate buffer size for all nesting birds will be determined by a qualified biologist based on the species of nesting bird, nature of the project activity, the extent of existing disturbance in the nest area, visibility of the disturbance from the nest site, and other relevant circumstances. No construction will occur within the established buffer area of an active nest until a qualified biologist, in consultation with California Department of Fish and Wildlife (CDFW), confirms that the chicks have fledged and are no longer dependent upon the nest or the nesting cycle has otherwise completed. Monitoring of the nest by a qualified biologist during construction activities will be required if the activity has the potential to adversely affect the nest. If construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the no-disturbance buffer will be increased until the agitated behavior ceases. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.</p>	<p>Prior to construction, during construction as applicable, and following construction.</p>	<p>NID/construction contractor</p>	<p>NID  California Department of Fish and Wildlife</p>	
<b>3.5 Cultural Resources</b>				
<p><b>Mitigation Measure 3.5-1a: Inadvertent discovery of historical and archaeological resources.</b>                      If any prehistoric or historic-era subsurface archaeological features or deposits, including locally darkened soil (potentially a “midden”), that could conceal cultural deposits, are discovered during construction, all ground-disturbing activity within 100 feet of the resources shall be halted and a qualified professional archaeologist</p>	<p>During construction as applicable.</p>	<p>NID/construction contractor</p>	<p>NID</p>	

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<p>shall be retained to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist (i.e., because it is determined to constitute either a historical resource or a unique archaeological resource), the archaeologist shall develop appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include but would not necessarily be limited to preservation in place, archival research, subsurface testing, or contiguous block unit excavation and data recovery.</p>				
<p><b>Mitigation Measure 3.5-1b: Implement a Worker Environmental Awareness Program.</b>                      Before any ground-disturbing work (including vegetation clearing, grading, and equipment staging) commences, NID or its Contractor will retain a qualified archaeologist that will conduct a mandatory cultural resources awareness training for all construction personnel involved with these activities. In addition, NID will notify tribal representatives a minimum of 7 days prior to conducting the cultural resources awareness training to allow for attendance by any interested tribal representatives and to afford the tribal representatives the opportunity to provide tribal cultural resources awareness information to the construction personnel. The training will cover the cultural history of the area, characteristics of archaeological sites, applicable laws, and the avoidance and minimization measures to be implemented. Proof of personnel attendance will be provided to overseeing agencies as appropriate. If new construction personnel associated with ground-disturbing work are added to the project after the training has been conducted, the contractor will require that the new personnel receive the mandatory training before starting work.</p>	<p>Prior to construction, and during construction as applicable.</p>	<p>NID/construction contractor</p>	<p>NID</p>	
<p><b>Mitigation Measure 3.5-2: Inadvertent discovery of human remains.</b>                      If human remains are discovered during any construction activities, potentially damaging ground-disturbing activities in the area of the remains will be halted immediately, and NID will notify the County coroner immediately, according to Section 5097.98 of the Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the coroner will contact NAHC and the guidelines of the NAHC will be adhered to in the treatment and disposition of the remains. NID will also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant (MLD), if any, identified by the NAHC. Following the coroner's and NAHC's findings, the NAHC-designated MLD will determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are</p>	<p>During construction as applicable.</p>	<p>NID/construction contractor</p>	<p>NID</p>	

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<p>not disturbed. The responsibilities for acting upon notification of a discovery of Native American human remains are identified in California Public Resources Code Section 5097.94.</p>				
<p><b>3.8 Hazards and Hazardous Materials</b></p>				
<p><b>Mitigation Measure 3.8-1: Prepare and implement a health and safety plan.</b>                      The contractor shall prepare a Health and Safety Plan, which shall be reviewed and approved by NID before initiating any demolition, grading, or other earthmoving activities. This plan shall require measures that will be employed during all demolition and construction activities to protect construction workers and the public from exposure to hazardous materials. These measures could include, but would not be limited to, posting notices, limiting access to the site, air monitoring, and watering. Contractors will be required to comply with state health and safety standards for all demolition work. If necessary, this shall include compliance with the federal OSHA and Cal/OSHA requirements.</p> <p>In addition, the plan shall include procedures to follow in the event that contaminated soil and/or groundwater or other hazardous materials are generated or encountered during construction. Such procedures could include, but would not be limited to, the following:</p> <ul style="list-style-type: none"> <li>▲ all work shall be halted in the affected area and the type and extent of the contamination shall be determined;</li> <li>▲ the project contractor shall notify the project applicant if evidence of previously undiscovered soil or groundwater contamination (e.g., stained soil, odorous groundwater) is encountered during excavation;</li> <li>▲ any contaminated areas shall be remediated in accordance with recommendations made by RWQCB and DTSC; and</li> <li>▲ remediation activities could include but would not be limited to the excavation of contaminated soil areas and hauling of contaminated soil materials to an appropriate off-site disposal facility, mixing of on-site soils, and capping (i.e., paving or sealing) of contaminated areas.</li> </ul>	<p>Prior to construction, and during construction as applicable.</p>	<p>NID/construction contractor</p>	<p>NID</p>	
<p><b>3.16 Traffic and Transportation</b></p>				
<p><b>Mitigation Measure 3.16-1: Traffic control plan.</b>                      NID will require the contractor(s) to prepare a Traffic Control Plan in accordance with Caltrans and/or Nevada County requirements and professional engineering standards prior to construction. The Traffic Control Plan could include the following requirements:</p>	<p>During construction as applicable.</p>	<p>NID/construction contractor</p>	<p>NID</p>	

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<ul style="list-style-type: none"> <li>▲ Emergency services access to local land uses shall be maintained at all times for the duration of construction activities. Local emergency service providers shall be informed of proposed construction activities and identified haul routes.</li> <li>▲ Access for local land uses including residential driveways during construction activities shall be maintained.</li> <li>▲ Limit traffic delays to no more than 20 minutes.</li> <li>▲ Roadside safety protocols shall be complied with, so as to reduce the risk of accident.</li> <li>▲ Use of flaggers to direct traffic as necessary.</li> </ul>				
<p><b>3.17 Tribal Cultural Resources</b></p>				
<p><b>Mitigation Measure 3.17-1: Post ground disturbance site visit.</b>                      NID will contact tribal representatives a minimum of 7 days prior to beginning earthwork or other soil disturbing activities. Tribal representatives will be invited to the project site, to view any soil piles, trenches, or other disturbed areas, within the first 5 days of ground disturbing activity. If any tribal cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains are encountered during this initial inspection or during any subsequent construction activities, work shall be suspended within 100 feet of the find, and the Contractor shall immediately notify NID. NID or its Contractor shall coordinate any necessary investigation of the site with tribal representatives and a qualified archaeologist. As part of the site investigation and resource assessment, the archeologist shall consult with tribal representatives to provide proper management recommendations should potential impacts to the resources be found by NID to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to NID by the qualified archaeologist. Possible management recommendations for tribal cultural resources could include resource avoidance or, where avoidance is infeasible in light of project design or layout or is unnecessary to avoid significant effects, preservation in place or other measures. The Contractor shall implement any measures deemed by NID to be necessary and feasible to avoid or minimize significant effects to the cultural resources, including the use of a Native American Monitor whenever work is occurring within 100 feet of the find.</p>	<p>During construction as applicable.</p>	<p>NID/construction contractor</p>	<p>NID</p>	