

**Monterey County Planning & Building Inspection
Condition Compliance & Mitigation Monitoring and/or
Reporting Plan**

Project Name: Public Works

Castroville-Elkhorn Bicycle/Pedestrian Path

File No: PLN020368

APNs: n/a

Approval by: Planning Commission

Date: May 14, 2003

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

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	MM#1	(Air Quality) In order to mitigate for construction related air quality impacts the County shall limit the area under construction at any one time to 2.2 acres of land per day during earthmoving operations (grading and excavation) or 8.1 acres of land per day during minimal earthmoving activities (finish grading). If this is not feasible, then the County shall include the following MBUAPCD standard construction practices and	The contractor shall keep a daily log of each activity performed during construction including date and photographs, as necessary. Monthly reports shall be submitted to the Monterey County Planning and Building Inspection Department. Failure to submit a report shall cause all work to be stopped until the report is received and approved by the Monterey County Planning and Building Inspection Department.	Contractor		Monthly during construction		

Exhibit "E"
Mitigation Monitoring and/or Reporting Program
PLN020368 – Public Works

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		mandatory emission controls for construction activities in the construction specifications and final improvement plans: (PBI)	The contractor shall provide written certification regarding how each measure has been implemented to the Monterey County Planning and Building Inspection Department	Contractor		Prior to final inspection		
		(a) Water all construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure;	The contractor shall keep a daily log of each activity performed during construction including date and photographs, as necessary. Monthly reports shall be submitted to the Monterey County Planning and Building Inspection Department. Failure to submit a report shall cause all work to be stopped until the report is received and approved by the Monterey County Planning and Building Inspection Department.	Contractor		Monthly during construction		
		(b) Prohibit all grading activities during periods of high wind (over 15 mph);	See above	Contractor		Monthly during construction		
		(c) Maintain at least 2' 0" of freeboard on all haul trucks;	See above	Contractor		Monthly during construction		

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		(d) Cover all truck hauling dirt, sand, or loose materials;	See above	Contractor		Monthly during construction		
		(e) Plant vegetative ground cover in disturbed areas as soon as possible;	See above	Contractor		Monthly during construction		
		(f) Cover inactive storage piles; and	See above	Contractor		Monthly during construction		
		(g) Sweep streets if visible soil material is carried out of the construction site.	See above	Contractor		Monthly during construction		
	MM#2	(Biological Resources) In order to mitigate for potential impacts to red-legged frog critical habitat, the Federal Highway Administration shall, prior to approval of final project plans, initiate an informal consultation with the U.S. Fish and Wildlife Service (USFWS) to inform USFWS of the proposed project and gather input on appropriate measures to be implemented, if any, to avoid destroying or adversely modifying critical habitat for California red-	The Federal Highway Administration shall consult with the USFWS for appropriate measures to protect California red-legged frog critical habitat. Measures identified by the USFWS shall be incorporated into this mitigation monitoring program. Any measures recommended by the USFWS and added to this monitoring program shall be monitored during construction by a qualified biologist.	Qualified biologist or USFWS		Prior to the issuance of a grading permit		

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		legged frog. (Note: Technical assistance was requested from USFWS on June 25, 2002 to identify appropriate avoidance and minimization measures for California red-legged frog, if any.) Avoidance measures identified by USFWS, if any, may include, but not be limited to, the following: (PBI)						
		(If required and approved by the USFWS) Before construction begins, a qualified biologist shall inform workers of the potential presence of the California red-legged frog in the project area, its protected status, work boundaries, and measures to be implemented to avoid the incidental take of the frogs.	(If required and approved by the USFWS) The qualified biologist shall provide the Monterey County Planning and Building Inspection Department with written certification signed by the qualified biologist and the contractor, indicating that the biologist has explained that there is the potential presence of a sensitive species on or adjacent to the construction site, and that the contractor and construction workers understand that a sensitive species may occur on or adjacent to the construction site.	Qualified biologist		(If required and approved by the USFWS) Prior to the commencement of grading activities		
		(If required and approved by the USFWS) Siltation fencing or other suitable erosion control measures shall be implemented.	(If required and approved by the USFWS) A qualified biologist shall conduct a site inspection prior to construction and weekly during construction to verify that temporary silt fencing is installed along the boundary of the construction site or another	Qualified biologist		(If required and approved by USFWS) Monthly during construction		

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			acceptable erosion control measure is implemented at the construction site. Written verification from a qualified biologist shall be submitted monthly to the Monterey County Planning and Building Inspection Department Violations shall be corrected immediately and reported to Monterey County Building Inspection Department.					
		(If required and approved by the USFWS) Food and food-related trash items shall be enclosed in sealed containers and regularly removed from the project area to deter potential predators of the California red-legged frog.	(If required and approved by the USFWS) A qualified biologist shall conduct a site inspection weekly during construction to verify that food and other trash is enclosed in sealed containers and regularly disposed of from the construction site. Written verification from a qualified biologist shall be submitted monthly to the Monterey County Planning and Building Inspection Department Violations shall be corrected immediately and reported to Monterey County Building Inspection Department.	Qualified biologist, and contractor		Monthly during construction		

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			Weekly during construction, the contractor shall be responsible for removing the trash from the work site and disposing of it at the Marina landfill.	Qualified biologist, and contractor		Monthly during construction		
		(If required and approved by the USFWS) All staging areas and all fueling and maintenance of vehicles and other equipment shall occur at least 20 meters (60 feet) from any water body. The project engineer shall ensure that habitat contamination does not occur from such activities.	(If required and approved by the USFWS) The project engineer shall conduct a site inspection weekly to verify that all staging and fueling and maintenance of vehicles and other equipment is located at least 20 meters from any water body. Written verification from project engineer shall be submitted monthly to the Monterey County Planning and Building Inspection Department Violations shall be corrected immediately and reported to Monterey County Building Inspection Department	Project engineer		(If required and approved by the USFWS) Monthly during construction		
	MM #3	(Biological Resources) In order to mitigate for indirect impacts to wetlands from trampling or the storage of construction materials, equipment or spoils, the County shall, in consultation with a qualified biologist, install and maintain, silt fencing or other	A qualified biologist shall conduct a site inspection weekly during construction to verify that temporary silt fencing or another acceptable protective device is installed along the perimeter of the mapped wetlands. Written verification from a qualified	Qualified biologist		Monthly during construction		

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		appropriate protective devices along the perimeter of mapped wetlands where construction borders these areas. (MCPBID)	biologist shall be submitted monthly to the Monterey County Planning and Building Inspection Department					
	MM #4	<p>(Cultural Resources). In order to mitigate for the possibility that significant buried cultural resources might be found during construction, the County shall include the following language in any permits issued for the project:</p> <p>If archaeological resources or human remains are discovered during construction, work shall be halted at a minimum of 200 feet from the find and the area shall be staked off. The project developer shall notify a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. (MCPBID)</p>	<p>If during the course of construction, cultural, archaeological, historical, or paleontological resources are uncovered at the site, the contractor shall immediately contact Monterey County Planning and Building Inspection Department and a qualified archaeologist. The qualified archaeologist shall determine the extent of the resources and develop the proper mitigation measures required for the discovery.</p>	Project engineer/contractor		Anytime during construction		
			The archaeologist shall provide written verification that no archaeological resources were found during construction or that appropriate mitigation measures were implemented for archaeological resources found during construction to the Monterey County Planning and Building Inspection Department.	A qualified archaeologist		Prior to final inspection		

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	MM #5	<p>(Cultural Resources). In order to mitigate for an accidental discovery or recognition of any human remains during earth moving activities, the County shall ensure that the following language is included in all permits in accordance with CEQA Guidelines section 15064.5(e):</p> <p>If human remains are found during construction there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Monterey County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the County or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Public Resources Code Section 5097.98. The County or authorized</p>	<p>If during the course of construction, cultural, archaeological, historical, or paleontological resources are uncovered at the site, the contractor shall immediately contact Monterey County Planning and Building Inspection Department and a qualified archaeologist. The qualified archaeologist shall determine the extent of the resources and develop the proper mitigation measures required for the discovery.</p>	Project engineer/ Contractor		Anytime during construction		
			<p>The archaeologist shall provide written verification that no archaeological resources were found during construction or that appropriate mitigation measures were implemented for archaeological resources found during construction to the Monterey County Planning and Building Inspection Department.</p>	A qualified archaeologist		Prior to Final Inspection		

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		representative shall rebury the Native American human remains and associated grave goods with appropriate dignity in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) The County or authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the County.						
	MM #6	<p>(Noise). In order to mitigate for construction related noise impacts, the County shall include the following language in the final improvement plans prepared for the proposed project:</p> <p>The operation of sound and vibration producing equipment shall occur between the hours of 7:00 AM</p>	The project engineer/contractor shall submit a copy of the final grading and building plans to the Monterey County Planning and Building Inspection Department, to verify that this language is included on the grading and building plans.	Project engineer/contractor		Prior to the issuance of a grading permit		

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		and 7:00 PM, Monday through Friday. (MCPBID)	The contractor shall keep a daily log of start times and quitting times, which shall be included in the monthly reports submitted to the Monterey County Planning and Building Inspection Department. Failure to submit a report shall cause all work to be stopped until the report is received and approved by the Monterey County Planning and Building Inspection Department.	Project engineer/contractor		Monthly during construction		
	MM #7	<p>(Noise). In order to mitigate for construction related noise impacts, the County shall include the following language in the final improvement plans prepared for the proposed project:</p> <p>All construction equipment shall be properly outfitted and maintained with noise reduction devices to minimize construction generated noise. Stationary construction equipment shall be located on site at the greatest distance possible from nearby sensitive receptors. Vibration resulting from construction activities shall be minimized (i.e. utilizing equipment that achieves the necessary compaction without excessive vibration). (MCPBID)</p>	<p>The project engineer/contractor shall submit a copy of the final grading and building plans to the Monterey County Planning and Building Inspection Department, to verify that this language is included on the grading and building plans.</p> <p>Prior to the commencement of grading activities, the applicant shall provide the Director of Planning and Building Inspection Department Photographic evidence that an informational sign has been installed at the construction site. The sign shall include a clearly visible phone number and contact person at the Monterey County Public Works Department that residents can call to report a complaint.</p>	Project engineer/Contractor		Prior to the issuance of a grading permit		
				Project Applicant		Prior to the issuance of a grading permit or commencement of construction		