

EXHIBIT C

OCTOBER 2016

MITIGATION MONITORING AND REPORTING PROGRAM
COMBIE ROAD IMPROVEMENT PROJECT
NEVADA COUNTY, CALIFORNIA

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**COUNTY OF NEVADA COUNTY CEQA FINDINGS AND MITIGATION MONITORING/REPORTING PROGRAM
 FOR THE COMBIE ROAD IMPROVEMENT PROJECT (PURSUANT TO CALIFORNIA PUBLIC RESOURCES CODE SECTIONS
 21081 AND 21081.6)**

PROJECT DATA

KEY

MITIGATED NEGATIVE DECLARATION	<p>Abbreviations: NCDPW (Nevada County Department of Public Works), NSAQMD (North Sierra Air Quality Management District), RWQCB (Regional Water Quality Control Board), Caltrans (California Department of Transportation), Best Management Practices (BMP), Storm Water Pollution Prevention Plan (SWPPP), Professionally Qualified Staff (PQS), CDFW (California Department of Fish and Wildlife), USFWS (United States Fish and Wildlife Services), ACOE (Army Corps of Engineers), APE (Area of Potential Effect)</p>
<p>Lead Agency: Nevada County Department of Public Works 950 Maidu Avenue Nevada City, California 95959</p> <p>Project Title: Combie Road Improvement Project</p> <p>Project Description/Location: The proposed project will widen Combie Road to five lanes (including a two-way left turn lane), construct a traffic signal at the Combie Road / Higgins Road intersection, and provide other bicycle and pedestrian improvements. Once these improvements are complete, the corridor should operate at an acceptable LOS D rating or better in the year 2030 and reduce the number of collisions on the corridor each year. The project also includes the relocation of various overhead utilities underground along the Combie corridor. Utility undergrounding will take place prior to the roadway widening and improvement project.</p>	

FINDINGS AND LEVEL OF SIGNIFICANCE AFTER MITIGATION

On the basis of the whole record, prior to approving a project, the decision making body of the lead agency shall consider the proposed Mitigated Negative Declaration together with any comments received during the public review process.

Combie Road Improvement Project – Mitigation Monitoring and Reporting Program

The following discussion is intended to present information on the project that is relevant to impact significance and mitigation measures. Several environmental issue areas have been included that have potentially significant impacts as a result of project implementation, and include mitigation measures accordingly. All other environmental issue areas are either not impacted by the project, or have less than significant impacts and do not require mitigation. The mitigation measures listed below are from the 2016 CEQA Initial Study Checklist and Mitigated Negative Declaration and represent all the mitigation required for the proposed project.

Minimization/Mitigation Measure	Timing/ Reporting Milestone	Reporting/ Responsible Party*	Verification of Compliance		
			Name/ Initials	Date	Remarks (Optional)
Air Quality - Measure Q-1: Implement NSAQMD dust control measures					
Obtain appropriate permits from the NSAQMD for portable equipment.	Prior to Construction	Contractor			
The applicant will implement all dust control measures in a timely manner during all phases of project development and construction.	During Construction	Contractor			
All material excavated, stockpiled or graded will be sufficiently watered, treated or covered to prevent fugitive dust from leaving the project boundaries and causing a public nuisance or a violation of an ambient air standard. Watering should occur at least twice daily, with complete site coverage.	During Construction	Contractor			

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			Name/ Initials	Date	Remarks (Optional)
All areas (including unpaved roads) within the project limits with vehicle traffic will be watered or have dust palliative applied as necessary for regular stabilization of dust emissions. The installation of gravel pads at the exits onto active roadways is encouraged and may be required if regular sweeping proves to be inadequate.	Prior to Construction	Contractor			
All land clearing, grading, earth moving, or excavation activities at the project site will be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.	During Construction	Contractor			
All on-site vehicle traffic will be limited to a speed of 15 miles per hour (mph) on unpaved roads.	During Construction	Contractor			
All inactive disturbed portions of the site will be covered, seeded or watered until a suitable cover is established. Alternatively, the applicant will be responsible for applying non-toxic soil stabilizers to all inactive construction areas.	During Construction	Contractor			
All material transported off-site will be either sufficiently watered or securely covered to prevent public nuisance.	During Construction	Contractor			
Should serpentine or ultramafic rock be encountered during construction, the NSAQMD will be notified no later than the next business day and the California Code of Regulations, Title 17, Section 9315 applies.	During Construction	Contractor			
Care shall be taken to minimize the exposure of pedestrians to construction dust. Specifically, if dust is visible in the proximity of pedestrians, measures shall be taken immediately to control dust emissions. These measures may include additional watering, wet sweeping of paved areas, and the temporary cessation of dust generating activities until pedestrians pass the active	During Construction	Contractor			

Minimization/Mitigation Measure	Timing/ Reporting Milestone	Reporting/ Responsible Party*	Verification of Compliance		
			Name/ Initials	Date	Remarks (Optional)
portions of the site. Contractors should be aware of the times children are most likely to be walking past the project and plan their activities accordingly.					
Air Quality - Measure AQ-2: Implement NSAQMD Construction-Related Emission Measures					
Open burning of site-cleared vegetation is prohibited, with suitable alternatives including chipping, mulching, or conversion to biomass fuel.	During Construction	Contractor			
Grid power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction.	During Construction	Contractor			
Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485). Provide clear signage that posts this requirement for workers at the entrance to the job site or staging area.	During Construction	Contractor			
Maintain all equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.	During Construction	Contractor			
Biological Resources - Measure BR-1: Implement Western Pond Turtle Avoidance Measures					
A qualified biologist shall conduct pre-construction surveys and be onsite during all initial stream realignment or other ground disturbance activities near ponds to monitor for western pond turtle nests. If a western pond turtle nest is uncovered, then the biologist shall stop work within a 25-foot radius (or other appropriate buffer as distinguished by the biologist) of the nest and	Prior to Construction	Contractor			

Minimization/Mitigation Measure	Timing/ Reporting Milestone	Reporting/ Responsible Party*	Verification of Compliance		
			Name/ Initials	Date	Remarks (Optional)
contact CDFW for further guidance.					
Narrow screened fencing (no greater than 3-inch) or impassible barriers will be installed where the project intersects riparian habitat to prevent western pond turtle access to the construction site or encroachment by construction activities into those areas. Additionally, high visibility fencing shall also be established around ponds in areas where adjacent project activities will occur and where current fencing does not already occur. Establishment of fencing shall occur prior to the start of project activities. Vegetation removal and construction sign establishment can occur without the establishment of fencing.	Prior to Construction	Contractor			
If a western pond turtle is observed within the project site, then personnel shall stop work within a 50-foot radius of the sighting and notify the biologist or resident engineer (RE). Work shall not resume within the 50-foot radius buffer until the western pond turtle has left the project site on its own volition or after receiving further guidance by CDFW.	During Construction	Contractor			
If any incidental take of a western pond turtle or western pond turtle nest occurs during project activities, immediately notify the biologist and RE. The biologist or RE shall contact CDFW within 24 hours of the incidental take for further guidance.	During Construction	Contractor			
Biological Resources - Measure BR-2: Implement Nesting Migratory Birds and Raptor Avoidance Measures					
If possible, vegetation removal should occur outside the breeding season (February 15th –September 1st) for all bird species.	Prior to Construction	Contractor / County			
If vegetation removal is to take place during the nesting season (February 15th –September 1st), a pre-construction nesting bird survey will be conducted within 7 days prior to vegetation removal. Within 2 weeks of the nesting bird survey, the construction contractor shall remove all vegetation	Prior to Construction	Contractor			

Minimization/Mitigation Measure	Timing/ Reporting Milestone	Reporting/ Responsible Party*	Verification of Compliance		
			Name/ Initials	Date	Remarks (Optional)
cleared by the biologist.					
A minimum 100-foot no-disturbance buffer will be established around any active nest of protected song birds and a minimum 300-foot no-disturbance buffer will be established around any nesting raptor species. The contractor will immediately stop work in the nesting area until the appropriate buffer is established and is prohibited from conducting work that could disturb the birds (as determined by the project biologist and in coordination with wildlife agencies) in the buffer area until a qualified biologist determines the young have fledged. Establishment of a reduced buffer can occur if determined appropriate by the project biologist and approved by CDFW.	During Construction	Contractor			
If active nesting is identified within the ¼-mile radius, coordination with CDFW will be required.	During Construction	Contractor			
Biological Resources - Measure BR-3: Implement Sensitive Habitat Restoration Measures					
Riparian habitat (including landmark grove trees) impacts associated with the realignment of Ragsdale Creek, will be replaced at a minimum ratio of 3:1; however, the final ratio will be identified through consultation and coordination with resource agencies (including CDFW and USACE) during the permitting process. Replacement will be completed through a combination of onsite revegetation (as part of Ragsdale Creek realignment) and through the purchase of in-lieu fees or mitigation bank credits.	During Construction	Contractor / County			
For onsite riparian and oak tree replacement, a revegetation plan will be developed and will include a summary of impacted vegetation, a planting plan, mitigation ratios, and success criteria based on resource agency requirements. The revegetation plan will be developed in coordination with	During Construction	Contractor / County			

Minimization/Mitigation Measure	Timing/ Reporting Milestone	Reporting/ Responsible Party*	Verification of Compliance		
			Name/ Initials	Date	Remarks (Optional)
and approved by the CDFW and USACE prior to implementation.					
Invasive plant species in the construction zone will be removed and disposed of in a manner that minimizes the potential for their reestablishment. Invasive plants will be identified by a biologist prior to their removal and removal procedures will follow the recommendations of the California Invasive Plant Council. If herbicides are applied, they will be applied in compliance with applicable state and federal laws.	During Construction	Contractor			
Biological Resources - Measure BR-4: Implement Best Management Practices to Minimize Impacts to Sensitive Habitats and Local Wildlife.					
Prior to the start of construction activities, the project limits in proximity to jurisdictional waters (including portions of Ragsdale Creek within the study area) will be marked with high visibility ESA fencing or staking to ensure construction will not further encroach into waters. The project biologist throughout construction will periodically inspect the ESA to ensure sensitive locations remain undisturbed.	Prior to Construction	Contractor			
Existing vegetation will be protected in place where feasible to provide an effective form of erosion and sediment control.	During Construction	Contractor			
Stabilizing materials will be applied to disturbed soil surfaces to prevent the movement of dust from exposed soil surfaces on construction sites resulting from wind, traffic, and grading activities.	During Construction	Contractor			
Prior to arrival at the project site and prior to leaving the project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.	During Construction	Contractor			
The contractor will not apply rodenticide or herbicide within the project area	During Construction	Contractor			

Minimization/Mitigation Measure	Timing/ Reporting Milestone	Reporting/ Responsible Party*	Verification of Compliance		
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during construction.					
The contractor will dispose of all food-related trash in closed containers, and will remove it from the project area each day during construction. Construction personnel will not feed or attract wildlife to the project area.	During Construction	Contractor			
Biological Resources - Measure BR-5: Implement Wetland Habitat Restoration Measures					
Mitigation requirements for the fill of waters of the U.S. will be implemented through onsite restoration (associated with the realignment of Ragsdale Creek) and through participation with the National Fish and Wildlife Foundation’s Sacramento District California In-Lieu Fee Program. Approximately 0.075 acres of Ragsdale Creek will be realigned and mitigated onsite as part of the proposed project and the remaining impacts (0.049 acres) will be mitigated through purchase of mitigation credits from the Bear-Yuba Aquatic Resource Service Area (closest known mitigation area) at a minimum 1:1 ratio, with the final ratio to be determined by the USACE.	Prior to Construction	County			
For the realignment of Ragsdale Creek, both the revegetation plan and the final design plans will identify the realigned creek profile which will be designed to follow the existing creek profile to ensure the realigned section of creek maintains drainage flows and patterns and maintains, at a minimum, existing habitat values as documented in the revegetation plan. To maintain the existing geomorphology of the creek corridor, the fore slope of the realigned creek channel will be constructed at 2:1 and the back slope will be constructed at 1.5:1	During Construction	Contractor			
Cultural Resources - Measure CR-1: Discovery of Cultural Resources during Ground-Disturbing Activities					

Minimization/Mitigation Measure	Timing/ Reporting Milestone	Reporting/ Responsible Party*	Verification of Compliance		
			Name/ Initials	Date	Remarks (Optional)
The construction contractor shall cease work if prehistoric, or paleontological subsurface cultural resources are discovered during ground-disturbing activities. If cultural resources are discovered during ground-disturbing activities, all activity in the vicinity shall cease until an archaeologist or paleontologist who meets the requirements of the Secretary of the Interior’s Qualification Standards evaluates the discovery. If the discovery is determined to be a significant resource, no further work near the resources shall take place until appropriate treatment is determined and implemented.	During Construction	Contractor			
The need for archaeological and Native American monitoring during the remainder of the project will be re-evaluated by the archaeologist as part of the treatment determination, if deemed appropriate. The archaeologist shall consult with appropriate Naïve American representatives in determining appropriate treatment for unearthened cultural resources if the resources are prehistoric or Native American in nature. In considering any suggested mitigation proposed by the archaeologist in order to mitigate impacts to cultural resources, the County will determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) will be initiated.	During Construction	Contractor			
Cultural Resources - Measure CR-2: Halt Work if Human Skeletal Remains are Identified during Construction					
If human skeletal remains are uncovered during project construction, work must immediately halt and the Nevada County Coroner must be contacted to evaluate the remains; the procedures and protocols set forth in Section 15064.5 (e)(1) of the CEQA Guidelines must be followed. If the County Coroner determines that the remains are Native American, the project proponent will contact the NAHC, in accordance with Health and Safety	During Construction	Contractor			

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Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). Per Public Resources Code 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC 5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.					
Geology/Soils - Measure GEO-1: Implement Erosion, Sediment, and Soil Stability Measures					
Prior to commencement of site work, fiber rolls and silt fencing will be installed down slope of all proposed areas of disturbance to reduce migration of sediment from the site. Fiber rolls on slopes are intended to reduce sediment discharge from disturbed areas, reduce the velocity of water flow, and aid in the overall revegetation of slopes. The fiber rolls and silt fence should remain in place until construction activity is complete and vegetation becomes established.	Prior to Construction	Contractor			
All soil exposed in permanent slope faces should be hydroseeded or hand seeded/strawed with an appropriate seed mixture compatible with the soil and climate conditions of the site as recommended by the local Resource Conservation District.	During Construction	Contractor			
Following seeding, jute netting or erosion control blankets should be placed and secured over the slopes steeper than 2:1, horizontal:vertical (H:V).	During Construction	Contractor			

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Hydrology and Water Quality - Measure WQ-1: Implement Water Quality Best Management Practices.					
Measures would be implemented during land-disturbing activities to reduce erosion and sedimentation. These measures may include mulches, soil binders and erosion control blankets, silt fencing, fiber rolls, temporary berms, sediment desilting basins, sediment traps, and check dams.	During Construction	Contractor			
Existing vegetation would be protected where feasible to reduce erosion and sedimentation. Vegetation would be preserved by installing temporary fencing, or other protection devices, around areas to be protected.	During Construction	County			
Exposed soils would be covered by loose bulk materials or other materials to reduce erosion and runoff during rainfall events.	During Construction	Contractor			
Exposed soils would be stabilized, through watering or other measures, to prevent the movement of dust at the project site caused by wind and construction activities such as traffic and grading activities.	During Construction	Contractor			
All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution.	During Construction	Contractor			
All vehicle and equipment maintenance procedures would be conducted off-site. In the event of an emergency, maintenance would occur away from Ragsdale Creek.	During Construction	Contractor			

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All concrete curing activities would be conducted to minimize spray drift and prevent curing compounds from entering the waterway directly or indirectly.	During Construction	Contractor			
All construction materials, vehicles, stockpiles, and staging areas would be situated outside of the stream channel as feasible. All stockpiles would be covered, as feasible.	During Construction	Contractor			
Energy dissipaters and erosion control pads would be provided at the bottom of slope drains. Other flow conveyance control mechanisms may include earth dikes, swales, or ditches. Stream bank stabilization measures would also be implemented.	During Construction	Contractor			
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All erosion control measures and storm water control measures would be properly maintained until the site has returned to a pre-construction state.	During Construction	Contractor			
All disturbed areas would be restored to pre-construction contours and revegetated, either through hydroseeding or other means, with native or approved non-invasive exotic species.	During Construction	Contractor			

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All construction materials would be hauled off-site after completion of construction.	During Construction	Contractor			
Noise - Measure N-1: Limit Construction Work Hours					
During the construction period, the construction contractor shall ensure that construction work hours will be limited from 7:00 AM to 7:00 PM.	During Construction	Contractor			
Transportation and Circulation – measure TC-1: Implement Traffic Control Plan					
Do not permit construction vehicles to block any roadways or private driveways.	During Construction	Contractor			
Provide access for the Higgins Area Fire Station and other emergency vehicles at all times.	During Construction	Contractor			
Select travel routes to avoid schools, parks, and high pedestrian use areas when possible. Crossing guards provided by the contractor would be used when truck trips coincide with school hours and when travel routes cross student travel paths.	During Construction	Contractor			
Obey all speed limits, traffic laws, and transportation regulations during construction.	During Construction	Contractor			
Use signs and flagmen, as needed, to alert motorists, bicyclists, and pedestrians to avoid conflict with construction vehicles or equipment.	During Construction	Contractor			
Construction employee parking would be restricted to the designated staging areas.	During Construction	Contractor			
No road closures are anticipated; however, in the event that road closures are	During	Contractor			

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necessary, local agencies and affected organizations would be notified prior to construction.	Construction				
The temporary closure of any roadways or public access areas for construction use would be clearly fenced and delineated with appropriate closure signage.	During Construction	Contractor			