

NEVADA COUNTY BROADBAND PROGRAM MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Public Resources Code Section 21081.6 and State CEQA Guidelines Sections 15091[d] and 15097) 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 EIR identifies potential significant adverse impacts related to the project implementation, and mitigation measures have been identified to reduce those impacts. Adoption of the MMRP would occur along with approval of the program.

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed in a satisfactory manner before and during program implementation, including during construction and operation and operation of individual broadband projects that are consistent with the program. The MMRP may be modified by the County during implementation, as necessary, in response to changing conditions or other refinements; however, modifications to a mitigation measure that could reduce its effectiveness in reducing impacts may not occur without CEQA compliance.

The attached table has been prepared to assist the responsible parties in implementing the mitigation measures. The table identifies the individual mitigation measures, monitoring responsibility, mitigation timing, and provides space to confirm implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the EIR. Mitigation measures that are referenced more than once in the Draft EIR are not duplicated in the MMRP table.

ROLES AND RESPONSIBILITIES

Unless otherwise specified herein, the County 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. The County, at its discretion, may delegate implementation responsibility or portions thereof to a licensed contractor or other designated agent. Section 21081.6 of the Public Resources Code requires the lead agency to identify the “custodian of documents and other material” which constitutes the “record of proceedings” upon which the action on the program was based. The County Planning Director, or designee, is the custodian of such documents for the Nevada County Broadband Program.

Inquiries should be directed to:

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The County is responsible for overall administration of the MMRP and for verifying that County staff members and/or construction contractors have completed the necessary actions for each measure. The County may designate a project manager to oversee implementation of the MMRP. Duties of the project manager include the following:

- ensure routine inspections of the construction site are conducted by appropriate County staff; check plans, reports, and other documents required by the MMRP; and conduct report activities;

- ▶ serve as a liaison between the County and the contractor or project applicant regarding mitigation monitoring issues;
- ▶ complete forms and maintain reports and other records and documents generated for the MMRP; and
- ▶ coordinate and ensure that corrective actions or enforcement measures are taken, if necessary.

The responsible party for implementation of each item will identify the staff members responsible for coordinating with the County on the MMRP.

MITIGATION MONITORING AND REPORTING PROGRAM TABLE

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

- ▶ Mitigation Measure – This column provides the verbatim text of the adopted mitigation measure
- ▶ Monitoring Responsibility – This column identifies the party responsible for enforcing compliance with the requirements of the mitigation measure.
- ▶ Timing – This column identifies the time frame in which the mitigation will be implemented.
- ▶ Verification – 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.

Mitigation Monitoring and Reporting Program – Nevada County Broadband Program

Mitigation Measure	Monitoring Responsibility	Timing	Verification
Archaeological, Historical, and Tribal Cultural Resources			
<p>Mitigation Measure 3.3-1: Protect Historic Bridges</p> <p>If new fiber conduit needs to be installed on Edwards Crossing Bridge (Bridge No. 17C0006), Purdon Crossing Bridge (Bridge #17C0024), or Donner Summit Bridge (Bridge No. 17C0052), the galvanized iron pipe shall be attached to the underside of the bridge in order to eliminate any visual obstruction of the bridge. If it is not possible to install the galvanized iron pipe under the bridge, it shall be installed on the side in such a way that provides maximum concealment. This could be accomplished by painting the pipe a similar color as the bridge material, installing the pipe alongside existing utility pipes on the bridge, or installing the pipe under the lip of the bridge deck or other concealed location.</p>	Nevada County	Prior to issuance of a building permit for individual broadband projects	
<p>Mitigation Measure 3.3-2a: Identify and Protect Archaeological Resources</p> <p>During project-specific environmental review of individual broadband projects, the County (or other incorporated jurisdiction) shall define each project's area of effect for archaeological resources. The County shall determine the potential for the project to result in archaeological resource impacts, based on the extent of ground disturbance and site modification anticipated for the program. The County shall determine the level of archaeological investigation that is appropriate for the project site and activity, as follows:</p> <ul style="list-style-type: none"> ▶ Directional Drilling <ul style="list-style-type: none"> ▪ If directional drilling is to occur in the United Auburn Indian Community of the Auburn Rancheria's (UAIC) high sensitivity zone and has more than three bore entry/exit points (six total), then a records search will be conducted through the North Central Information Center (NCIC), and a qualified archaeological professional will survey the entry/exit point areas (if not paved). If the records search is positive and is confirmed by the survey results, then a qualified professional shall be retained to monitor any ground-disturbing activities. Standard stop-work mitigation measures shall be implemented (refer to Mitigation Measure 3.3-2b). If the subsequent project has fewer than three bore entry/exit points, no protection measures are required. ▪ If directional drilling is to occur in UAIC's low sensitivity zone and has more than six bore entry/exit points (12 total) then a records search will be conducted through NCIC, and a qualified archaeological professional will survey the entry/exit point areas (if not paved) if the records search result is positive. Standard stop-work mitigation measures shall be implemented (refer to Mitigation Measure 3.3-2b). If fewer than six bore entry/exit points, no protection measures are required. ▶ Plowing and Trenching <ul style="list-style-type: none"> ▪ If plowing and trenching is to occur in UAIC's high sensitivity zone and the plow slot is more than 350 feet, a records search will be conducted through NCIC, and a qualified archaeological professional will survey the plow slot area (if not paved). If the records search is positive and is confirmed by the survey results, then a qualified professional shall be retained to monitor any ground-disturbing activities. 	Nevada County or other incorporated jurisdiction, depending on location, in consultation with UAIC	Prior to issuance of a building permit for individual broadband projects and during ground-disturbing construction activities	

Mitigation Measure	Monitoring Responsibility	Timing	Verification
<p>Standard stop-work mitigation measures shall be implemented (refer to Mitigation Measure 3.3-2b). If less than 350 feet, no protection measures are required.</p> <ul style="list-style-type: none"> ▪ If plowing and trenching is to occur in UAIC's low sensitivity zone and the plow slot is more than 350 feet, a records search will be conducted through NCIC, and a qualified archaeological professional will survey if the records search result is positive. Standard stop-work mitigation measures shall be implemented (refer to Mitigation Measure 3.3-2b). If less than 350 feet, no protection measures are required. <p>► New Poles and Access Vaults</p> <ul style="list-style-type: none"> ▪ If more than three new poles and access vaults are proposed in UAIC's high sensitivity zone, a records search will be conducted through NCIC, and a qualified archaeological professional will survey the areas (if not paved). If the records search is positive and is confirmed by the survey results, then a qualified professional shall be retained to monitor any ground-disturbing activities. Standard stop-work mitigation measures shall be implemented (refer to Mitigation Measure 3.3-2b). If less than three poles/vaults, no protection measures are required. ▪ If more than six new poles and access vaults are proposed in UAIC's low sensitivity zone, then a records search will be conducted through NCIC, and a qualified archaeological professional will survey the areas (if not paved) if the records search is positive. Standard stop-work mitigation measures shall be implemented (refer to Mitigation Measure 3.3-2b). If less than six poles/vaults, no protection measures are required. <p>► Micro Trenching</p> <ul style="list-style-type: none"> ▪ No protection measures are required. <p>As requested by the Shingle Springs Band of Miwok, the County (or other incorporated jurisdiction) will share with them the results of any records search through NCIC.</p> <p>Mitigation Measure 3.3-2b: For All Ground-Disturbing Construction Activities, Halt Ground Disturbance Upon Discovery of Subsurface Archaeological Features</p> <p>In the event that any prehistoric or historic-period subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits are discovered during construction, all ground-disturbing activity within 100 feet of the find shall be halted and a qualified professional archaeologist shall be retained to assess the significance of the find. If the qualified archaeologist determines the archaeological material to be Native American in nature, the applicant shall contact the appropriate Native American tribe for their input on the preferred treatment of the find. If the find is determined to be significant by the archaeologist (i.e., because it is determined to constitute a unique archaeological resource), the archaeologist shall develop, and the applicant shall implement, 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>			

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<p>Mitigation Measure 3.3-3a: Contact Geographically Affiliated Native American Tribes</p> <p>During project-specific environmental review of subsequent broadband projects, the project proponent shall consult with the County to determine if the project site is in a high- or low-sensitivity area for tribal resources, according to a confidential map kept on file with the County. If the project site is located within an area of high sensitivity, the project proponent will notify UAIC. The notification will contain the following:</p> <ul style="list-style-type: none"> ▶ A written description of the type of ground disturbance, location, and boundaries. ▶ A map of the project area at a sufficient scale to indicate the spatial extent of activities. ▶ A description of the activities (e.g., horizontal directional drilling, trenching, aboveground poles). ▶ A detailed description of the depth of excavation. ▶ A request for information regarding potential impacts to tribal cultural resources from the proposed ground-disturbing activities. <p>If coordination with the Tribe confirms that the project site has a high sensitivity for tribal cultural resources, the project proponent will coordinate with UAIC to conduct a site-specific survey of the project area, assuming it is not paved. If tribal cultural resources are identified within a project area and cannot be avoided, implement Mitigation Measure 3.3-3b. If the project site is located within low sensitivity, then implement Mitigation Measure 3.3-3c.</p> <p>Mitigation Measure 3.3-3b: Treatment of Tribal Cultural Resources that Cannot be Avoided</p> <p>The project proponent, in consultation with UAIC, will develop effective protection measures for important tribal cultural resources located within the project site; a tribal monitor will be present on-site for all ground-disturbing activities. These measures may include reburial, if culturally appropriate, or tribal retention. Reburial will take place on-site in a location not subject to further disturbance. Permanent curation of tribal cultural resources will not take place unless approved in writing by UAIC. The project proponent will defer implementing the treatment until the tribe approves protection measures, or if agreement cannot be reached after a good-faith effort, the proponent determines that any or all feasible measures have been implemented.</p> <p>Mitigation Measure 3.3-3c: Unanticipated Discovery of Tribal Cultural Resources</p> <p>If any suspected tribal cultural resources are discovered during ground disturbing construction activities, all work shall cease within 50 feet of the find, UAIC shall be notified, and a qualified archaeologist shall be retained. A UAIC tribal representative, in conjunction with the qualified archaeologist, shall determine if the find is a tribal cultural resource, pursuant to PRC Section 21074. UAIC or the County (or other incorporated jurisdiction) will notify Shingle Springs Band of Miwok of the significance determination of the find. The tribal representative will make recommendations for further evaluation and culturally appropriate treatment of discovered tribal cultural resources as necessary in consultation with the archaeological professional. No data recovery or curation of any physical tribal cultural resource will be allowed unless this is the preference of the tribe, as confirmed in writing. Preservation in place is the preferred mitigation. If the County determines that preservation in place is not feasible, reburial if culturally appropriate will take place on-site in a location not subject to further disturbance. The reburial site will be agreed upon in advance by the tribe and the project applicant. Work at the discovery location cannot resume until all necessary investigation, evaluation, and treatment of the discovery under the requirements of CEQA have been satisfied.</p>	<p>Nevada County or other incorporated jurisdiction, depending on location, in consultation with UAIC</p>	<p>Prior to issuance of a building permit for individual broadband projects and during ground-disturbing construction activities</p>	

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Biological Resources			
<p>Mitigation Measure 3.4-1a: Review and Survey for Project-Specific Biological Resources</p> <p>Proponents of individual fiber projects will retain a qualified biologist to conduct a data review and reconnaissance-level survey prior to fiber optic line installation to identify whether any special-status plant or animal species, riparian or other sensitive habitats, sensitive natural community, or wildlife nursery site (e.g., bat maternity roosts, deer fawning areas, heron or egret rookeries) could be affected. The data review will include the biological resources setting, species and sensitive natural communities tables, and habitat information in this Program EIR as well as review of the best available, current data for the area, including vegetation mapping data, California Natural Diversity Database (CNDDDB), California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California, relevant Biogeographic Information and Observation System (BIOS) queries, and relevant general and regional plans. If suitable habitat for sensitive biological surveys is present based on the results of the data review and survey, the project proponent will do one of the following:</p> <ul style="list-style-type: none"> ▶ <u>Suitable Habitat Is Present but Can Be Clearly Avoided.</u> If, based on the data review and reconnaissance-level survey, the qualified biologist determines that suitable habitat for sensitive biological resources is present but adverse effects on the suitable habitat can clearly be avoided through one of the following methods, the avoidance mechanism will be implemented prior to initiating ground disturbance and will remain in effect throughout the fiber optic line installation: <ul style="list-style-type: none"> ▪ Physically avoid the suitable habitat, including using directional drilling or aerial stringing instead of trenching or plowing, or ▪ Conduct fiber optic line installation outside of the season when a sensitive resource could be present within the suitable habitat or outside the season of sensitivity (e.g., outside of special-status bird nesting season, or outside of maternity and rearing season at wildlife nursery sites). ▪ Physical avoidance will include establishing environmentally sensitive areas through flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway) to delineate the boundary of the avoidance area around the suitable habitat. For physical avoidance, a buffer may be implemented as determined necessary by the qualified biologist. ▶ <u>Suitable Habitat Cannot Be Avoided.</u> Further review and surveys will be conducted to determine presence/absence of sensitive biological resources that may be affected, as described in the mitigation measures below. Focused or protocol-level surveys will be conducted as necessary to determine presence/absence. If protocol surveys are conducted, survey procedures will adhere to methodologies approved by resource agencies and the scientific community, such as those that are available on the California Department of Fish and Wildlife (DFW) webpage at: https://www.wildlife.ca.gov/Conservation/Survey-Protocols. More specific survey requirements and avoidance/minimization measures may be required, as addressed by other mitigation measures. 	Nevada County or other incorporated jurisdiction, depending on location	Prior to issuance of a building permit for individual broadband projects, and prior to and during construction, as needed	

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<p>Mitigation Measure 3.4-1b: Develop and Implement a Worker Environmental Awareness Program</p> <p>Proponent of individual fiber projects will require crew members and contractors to receive training from a qualified biologist prior to beginning fiber optic line installation activities. The training will describe the appropriate work practices necessary to effectively implement the biological mitigation measures and to comply with the applicable environmental laws and regulations. The training will include the identification, relevant life history information, and avoidance of pertinent special-status species; identification and avoidance of sensitive natural communities and habitats with the potential to occur in the project area for individual fiber projects; impact minimization procedures; and reporting requirements. The training will instruct workers to allow any wildlife encountered during construction activities to leave the area unharmed and report encounters to a qualified biologist. The qualified biologist will immediately contact CDFW or U.S. Fish and Wildlife Service (USFWS), as appropriate, regarding relocation protocol if any wildlife protected by California Endangered Species Act (CESA) or Federal Endangered Species Act (ESA) is encountered and cannot leave the site on its own.</p> <p>Mitigation Measure 3.4-1c: Special-Status Plant Surveys, Protection, and Mitigation</p> <ul style="list-style-type: none"> ▶ If Mitigation Measure 3.4-1a determines that suitable habitat for special-status plant species is present and cannot be avoided, proponents of individual fiber projects will retain a qualified botanist to conduct protocol-level surveys during the appropriate bloom period for special-status plant species with the potential to be affected by fiber optic line installation following the CDFW "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities" (CDFW 2018). ▶ If special-status plant species are not found, the botanist shall document the findings in a letter report to the proponent and no further mitigation shall be required. ▶ If special-status plant species are found on the project site and are located outside of the proposed trench or plow line, and can be avoided, the proponent shall establish and maintain a buffer around special-status plants to be retained to prevent disturbance to the plants. ▶ Alternatively, if feasible, directional drilling could be used in place of trenching or plowing to avoid direct and indirect impacts to special-status plant species. The directional drilling shall be at a depth and length that completely avoids the seedbank and root zone of special-status plants. ▶ If any state- or federally listed or CNPS List 1 or CNPS List 2 special-status plant species are found that cannot be avoided during construction and directional drilling is not a feasible option, the applicant shall consult with CDFW and/or USFWS, depending on species status, to determine the appropriate mitigation measures for direct and indirect impacts that could occur because of project construction and shall implement the agreed-upon mitigation measures to achieve no net loss of occupied habitat or individuals. Mitigation measures may include preserving and enhancing existing populations, creation of off-site populations on mitigation sites through seed collection or transplantation, and/or restoring or creating suitable habitat in sufficient quantities to achieve no net loss of occupied habitat and/or individuals. A mitigation and monitoring plan shall be developed describing how unavoidable losses of special-status plants shall be compensated. The mitigation and monitoring plan shall be submitted to CDFW and/or 			

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<p>USFWS for review and comment. The final mitigation strategy for directly affected plant species shall be determined by the CDFW and the USFWS through the mitigation plan approval process.</p> <ul style="list-style-type: none"> ▶ For state-listed plants, it may be necessary to obtain an incidental take permit under Fish and Game Code Section 2081. The project proponent shall consult with the CDFW to determine whether a 2081 permit is required and obtain all required authorizations prior to initiation of activities that could affect state-listed plants. ▶ If CNPS List 3 or CNPS List 4 special-status plant species are found that cannot be avoided during construction, Nevada County shall determine if the impacts to these plant occurrences could substantially affect the local population of these species based on their local rarity and significance. If the County determines project losses of the CNPS List 3 of 4 plant species could result in extirpation of the species from the County, or result in loss of viability of the species, the project proponent shall develop a mitigation plan for these species and submit it to the County for review and approval. Possible mitigation for impacts to CNPS List 4 plant species can include implementation of a program to transplant, salvage, cultivate, or re-establish the species at suitable sites (if feasible), or preservation of off-site occupied habitat through a conservation easement. ▶ If relocation efforts are part of the mitigation plan, the plan shall include details on the methods to be used, including collection, storage, propagation, receptor site preparation, installation, long-term protection and management, monitoring and reporting requirements, success criteria, and remedial action responsibilities should the initial effort fail to meet long-term monitoring requirements. <p>Success criteria for preserved and compensatory populations shall include:</p> <ul style="list-style-type: none"> ▪ The extent of occupied area and plant density (number of plants per unit area) in compensatory populations shall be equal to or greater than the affected occupied habitat prior to project implementation or to nearby reference populations. ▪ Compensatory and preserved populations shall be self-producing. Populations shall be considered self-producing when: <ul style="list-style-type: none"> • plants reestablish annually for a minimum of 5 years with no human intervention such as supplemental seeding; and • reestablished and preserved habitats contain an occupied area and flower density comparable to existing occupied habitat areas in similar habitat types in the project vicinity. ▶ If off-site mitigation includes dedication of conservation easements, purchase of mitigation credits, or other off-site conservation measures, the details of these measures shall be included in the mitigation plan, including information on responsible parties for long-term management, conservation easement holders, long-term management requirements, success criteria such as those listed above and other details, as appropriate to target the preservation of long-term viable populations. 			

Mitigation Measure	Monitoring Responsibility	Timing	Verification
<p>Mitigation Measure 3.4-1d: Special-Status Wildlife Surveys, Protection, and Mitigation</p> <ul style="list-style-type: none"> ▶ If Mitigation Measure 3.4-1a determines that suitable habitat for special-status wildlife species is present and cannot be avoided, proponents of individual fiber projects will require a qualified biologist to conduct focused or protocol-level surveys for special-status wildlife species with potential to be directly or indirectly affected by fiber optic line installation. This determination will be based on species distribution, known occurrences relative to the project area for individual fiber projects, and the presence of suitable habitat for these species in or near the project area. The survey area will be determined by a qualified biologist based on the species and habitats and any recommended buffer distances in agency protocols. ▶ The qualified biologist will determine if following an established protocol is required, in consultation with the appropriate resource agency. Survey timing and methodology will follow established survey protocols, where protocols are required. Unless otherwise specified in a protocol, the survey will be conducted no more than 14 days prior to the beginning of construction activities that could affect special-status wildlife or their habitat. Focused or protocol surveys for a special-status species with potential to occur in the project area may not be required if presence of the species is assumed. ▶ If protocol surveys determine a special-status species is not present, the qualified biologist shall document the findings in a letter report to the appropriate agency and the proponent and no further mitigation shall be required. ▶ If special-status wildlife species are found on the project site and the species or habitat for the species is located outside of the proposed fiber optic line installation area for trenching or plowing, and can be avoided, and a qualified biologist determines direct and indirect impacts will be negligible, the proponent shall establish and maintain a buffer around special-status species habitat to be retained to prevent disturbance to the species. ▶ If special-status wildlife species or species habitat are found that cannot be avoided during construction, the following will apply: <ul style="list-style-type: none"> ▪ For species listed as threatened or endangered under ESA or CESA, existing state and federal laws require consultation and take authorization. Potential impacts will be addressed through implementation of project-specific compensatory or other mitigation for any adverse effects on these species as a condition of project approval. Specifically, USFWS and CDFW would not permit a project that would degrade habitat or result in take of a state or federally listed species without compensatory mitigation to offset losses of state or federally listed species and their habitat. Nevada County will require proponents of individual fiber projects to obtain any required take permits prior to project implementation. ▪ For other special-status species that have less formal regulatory protection (e.g., CDFW species of special concern), significant impacts would be minimized by modifying the installation method to avoid special-status species by using directional drilling or aerial installation, and through development and implementation of project-specific mitigation measures consistent with applicable state and federal requirements and standards for any significant impacts as a condition of project approval to reduce impacts to less than significant under CEQA. For species for which standard, established mitigation 			

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<p>guidance exists (e.g., established by CDFW, USFWS, or National Marine Fisheries Services [NMFS]), developed mitigation measures would follow these standards or provide a similar level of protection. These measures could include implementing no-disturbance buffers, limited operating periods for construction and operations, implementing alternative fiber optic line installation methods such as directional drilling, stringing fiber optic line on bridges or power lines, or installing fiber optic line underneath pavement, or compensatory habitat creation, enhancement, or restoration. In the absence of previously established guidance or standards, mitigation would be developed in consultation with the appropriate agencies with jurisdiction over the affected species (e.g., CDFW, USFWS, NMFS).</p> <p>Mitigation Measure 3.4-1e: Avoid Nesting Birds</p> <p>Where possible, vegetation removal and project activities will occur outside of the active nesting bird season as determined by the qualified biologist. However, if work during the nesting season is unavoidable, proponents of individual fiber projects will retain a qualified biologist to conduct surveys for nesting birds within and adjacent to the project area. The area for surveys will be determined by the qualified biologist based on the potential species in the area and presence of suitable habitat. Surveys should be timed no more than 1 week prior to vegetation removal or project activities that could disturb nesting birds. If active nests are detected, the project proponent will establish a temporary buffer around the nest that is sufficient to ensure that breeding is not likely to be disrupted or adversely affected by construction activities, as determined by a qualified biologist. Factors to be considered for determining buffer size will include the following: presence of natural buffers provided by vegetation or topography, nest height, locations of foraging territory, baseline levels of noise and human activity, species sensitivity, and expected treatment activities. Buffers will be maintained until a qualified biologist determines the young have fledged or the nest is no longer active.</p>			
<p>Mitigation Measure 3.4-2: Avoid or Compensate for Loss of Critical Habitat for Sierra Nevada Yellow-Legged Frog and California Red-Legged Frog</p> <p>Wherever feasible, fiber optic line installation will be designed to avoid construction activities within or adjacent to critical habitat as designated by USFWS. This could include switching installation methods from trenching or plowing to directional drilling or aerial stringing.</p> <p>If avoidance is not feasible, informal consultation with USFWS will determine a mitigation strategy to ensure that construction activities do not result in the destruction and adverse modification of the value of the habitat or affect the survival and recovery of Sierra Nevada yellow-legged frog and California red-legged frog. Measures are likely to include seasonal restrictions, reduced construction corridors, pre-construction surveys, worker environmental education sessions, biological monitoring, and re-vegetation programs.</p>	Nevada County or other incorporated jurisdiction, depending on location	Prior to issuance of a building permit for individual broadband projects	
<p>Mitigation Measure 3.4-3a: Implement Mitigation Measure 3.4-1a.</p> <p>See above.</p> <p>Mitigation Measure 3.4-3b: Obtain All Required Regulatory Authorizations if Project-Specific Fiber Optic Line Installation Would Result in Impacts to Riparian Habitats within CDFW Jurisdiction</p>	Nevada County or other incorporated jurisdiction, depending on location	Prior to issuance of a building permit for individual broadband projects, and prior to and during construction, as needed	

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<p>If it is determined that project-specific fiber optic line installation could affect the bed, bank, channel, or associated riparian habitat subject to CDFW jurisdiction under Fish and Game Code Section 1602, a Streambed Alteration Notification shall be submitted to CDFW, pursuant to Section 1600 et seq. of the California Fish and Game Code. If proposed activities are determined to be subject to CDFW jurisdiction, the proponents of individual fiber projects shall abide by the conditions of any executed Lake and Streambed Alteration Agreement.</p> <p>Mitigation Measure 3.4-3c: Prevent Spread of Invasive Plants and Noxious Weeds</p> <p>Proponents of individual fiber projects will take the following actions to prevent the spread of invasive plants and noxious weeds:</p> <ul style="list-style-type: none"> ▶ identify and map significant infestations of invasive plant species (i.e., those rated as invasive by Cal-IPC or designated as noxious weeds by California Department of Food and Agriculture) during reconnaissance-level surveys. ▶ clear clothing, footwear, and equipment used during fiber optic line installation of soil, seeds, vegetative matter or other debris or seed-bearing material before entering the project area or when leaving an area with infestations of invasive plants and noxious weeds; ▶ for all heavy equipment and vehicles traveling off road, pressure wash, if feasible, or otherwise appropriately decontaminate equipment at a designated weed-cleaning station prior to entering the project area from an area with infestations of invasive plants and noxious weeds; ▶ inspect all heavy equipment, vehicles, tools, or other treatment-related materials for mud or other signs that weed seeds or propagules could be present prior to use in the project area; and ▶ stage equipment in areas free of invasive plant infestations. 			
<p>Mitigation Measure 3.4-4a: Implement Mitigation Measure 3.8-1.</p> <p>See below.</p> <p>Mitigation Measure 3.4-4b: Avoid Effects on Aquatic Habitat, Including Wetlands and Waters of the State and the United States</p> <ul style="list-style-type: none"> ▶ Ground disturbing (trenching, plowing, or grading) work within 20 feet of jurisdictional waters of the State or of the United States, and all directional drilling activities under waterways shall be monitored full-time by a County-approved biologist to assure that there is no surface disturbance to jurisdictional waters or impacts to downstream water quality, and to ensure drilling is immediately stopped and the drilling fluid seepage and spill prevention measures are implemented, in the case of a frac-out. CDFW or the Central Valley RWQCB may establish additional conditions to protect waters of the State and water quality, as described in any Lake and Streambed Alteration Agreement, Water Quality Certification, or waste discharge requirements issued for the project. ▶ All vehicles and equipment shall be maintained in proper working condition to minimize the potential for ▶ Fugitive emissions of motor oil, antifreeze, hydraulic fluid, grease, or other hazardous materials. 	Nevada County or other incorporated jurisdiction, depending on location	Prior to issuance of a building permit for individual broadband projects and during construction, as needed	

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<ul style="list-style-type: none"> Hazardous spills shall be cleaned up immediately and the contaminated soil properly disposed of at a licensed facility. Servicing of construction equipment shall take place only at a designated area. Service/maintenance vehicles shall carry a bucket and pads to absorb leaks or spills. Because fuels, lubricants, and solvents may be stored in staging areas, all staging areas shall be located at least 150 feet away from lakes, streams, drainages, and wetlands. 			
<p>Mitigation Measure 3.4-5a: Retain Nursery Habitat and Implement Buffers to Avoid Nursery Sites</p> <p>Proponents of individual fiber projects will implement the following measures while working in the project area for individual fiber projects that contain nursery sites identified in surveys conducted pursuant to Mitigation Measure 3.4-1a:</p> <ul style="list-style-type: none"> Retain Known Nursery Sites. A qualified biologist will identify the important habitat features of the wildlife nursery and, prior to construction activities, will mark these features for avoidance and retention during fiber optic line installation. Establish Avoidance Buffers. The proponent will establish a non-disturbance buffer around the nursery site if activities are required while the nursery site is active/occupied. The appropriate size and shape of the buffer will be determined by a qualified biologist, based on potential effects of project-related habitat disturbance, noise, visual disturbance, the potentially affected species, and other factors. No construction activity will commence within the buffer area until a qualified biologist confirms that the nursery site is no longer active/occupied. Monitoring of the nursery site by a qualified biological monitor during and after construction activities will be required if a qualified biologist determines that proposed activities could disrupt use of active nursery sites. If construction activities cause agitated behavior of the individual(s), the buffer distance will be increased, or construction activities modified until the agitated behavior stops. <p>Mitigation Measure 3.4-5b: Implement Mitigation Measure 3.8-1.</p> <p>See below.</p>	Nevada County or other incorporated jurisdiction, depending on location	Prior to issuance of a building permit for individual broadband projects, and prior to and during construction, as needed	
<p>Mitigation Measure 3.4-6: Prepare a Biological Inventory and Avoid or Compensate for Loss of Landmark or Heritage Trees or Groves</p> <p>If an individual fiber project requires tree removal, a qualified arborist will prepare a Biological Inventory that details the species and DBH of all trees subject to possible tree removal and will identify any landmark and heritage trees and groves. If landmark and heritage trees or groves are identified and can be avoided, no further mitigation is required.</p> <p>Prior to approval of a site plan, grading plan, or any permit authorizing construction, the project proponent shall prepare a Management Plan as required under the Nevada County Tree Resource Protection Standards. The Management Plan shall specify measures to mitigate for the loss of defined trees and groves to ensure no net loss of oak or hardwood habitat, and emphasis will be placed on protection of blue oaks (<i>Quercus douglasii</i>) and valley oaks (<i>Quercus lobata</i>). Measures could include preservation of on-site oak woodlands in a conservation easement, purchase and preservation of off-site oak woodlands, on- or off-site enhancement of degraded oak woodlands, or by paying in-lieu fees into a County-approved fund used to purchase and preserve comparable</p>	Nevada County or other incorporated jurisdiction, depending on location	Prior to issuance of a building permit for individual broadband projects, and prior to and during construction, as needed	

Mitigation Measure	Monitoring Responsibility	Timing	Verification
oak woodland or hardwood communities in the region. The Management Plan shall also include measures to protect trees during construction and following fiber optic line installation. Measures could include specifications for protective fencing and construction buffers, or fiber optic line installation method changes. The plan shall identify financial responsibility and funding sources for all measures.			
Geology, Soils, and Mineral Resources			
<p>Mitigation Measure 3.5-4: Perform a Site-Specific Paleontological Resources Inventory Assessment by Rock Unit and if Paleontological Resources Could be Affected, Install Fiber Optic Line Aboveground</p> <p>Before submitting a grading permit application that would include boring through bedrock, the applicant for an individual fiber project shall retain the services of a qualified professional paleontologist who shall prepare a paleontological resources inventory and assessment for any affected rock units. This report shall include the following components:</p> <ul style="list-style-type: none"> ▶ A report of any fossils observed during a reconnaissance-level field survey. ▶ The results of a records search of appropriate paleontological databases (at a minimum, the database at the University of California, Berkeley Museum of Paleontology) to determine whether any previously recorded fossil localities are located within or immediately adjacent to the fiber optic facilities where rock boring is proposed. ▶ A determination as to whether the geologic formations are of high or low paleontological sensitivity, and a discussion supporting the reasons why the sensitivity determinations were made. <p>If the rock formation is determined to be of high paleontological sensitivity, the fiber optic infrastructure will be designed to be installed aboveground. Prior to issuance of grading permits that would allow for boring in bedrock, the approving local jurisdiction will review the report and findings to confirm no paleontological resources would be affected.</p>	Nevada County or other incorporated jurisdiction, depending on location	Prior to issuance of a building permit for individual broadband projects	
Hazards and Hazardous Materials			
<p>Mitigation Measure 3.7-2: Conduct Soil and Groundwater Sampling and Testing if Contamination is Suspected</p> <p>Soil sampling shall be conducted in the project footprint before construction begins on or adjacent to hazardous waste sites identified on DTSC- and SWRCB-maintained databases of known contaminated sites. Soil information shall be provided to construction crews to inform them about soil conditions and potential hazards.</p> <p>If hazardous substances are unexpectedly encountered during trenching, grading, or excavating work, work shall be stopped until the material is properly characterized and appropriate measures are taken to protect human health and the environment. If excavation of soil contaminated with hazardous materials is required, the materials shall be handled, transported, and disposed of in accordance with federal, state, and local regulations.</p> <p>If suspected contaminated groundwater is encountered in the construction areas, samples shall be collected and submitted for analysis of petroleum hydrocarbons, metals, volatile organic compounds, and semivolatile organic compounds. If necessary, groundwater shall be collected during construction, contained, and disposed of in accordance with federal, state, and local regulations.</p>	Nevada County or other incorporated jurisdiction, depending on location	Prior to and during construction of individual broadband projects, as needed	

Mitigation Measure	Monitoring Responsibility	Timing	Verification
Mitigation Measure 3.7-3: Implement Mitigation Measure 3.7-2. See above.	Nevada County or other incorporated jurisdiction, depending on location	Prior to and during construction of individual broadband projects, as needed	
Mitigation Measure 3.7-6: Fire Prevention and Cessation The construction contractors for individual fiber projects shall implement the following measures for all construction activities to prevent and address wildfires: <ul style="list-style-type: none"> ▶ Train and brief all construction workers on fire prevention and suppression methods, including requirements for carrying emergency fire suppression equipment on the project site. ▶ Construction “tailgate meetings” shall be held daily, prior to construction and cover the following topics: fire safety, smoking restrictions, idling vehicles, and restricting construction during red flag warnings. No construction work will occur during times of high fire threat, and if conditions change after commencing construction, work will cease in periods of extreme fire danger, such as red flag warnings issued by the National Weather Service or other severe fire weather conditions as identified by Nevada County.	Nevada County or other incorporated jurisdiction, depending on location	Prior to and during construction of individual broadband projects	
Hydrology and Water Quality			
Mitigation Measure 3.8-1: Implement Drilling Fluid Seepage and Spill Prevention Measures Drilling fluid containment and cleanup equipment (e.g., certified weed-free bales, silt fencing, and portable pumps) will be present for use in the work area where there is a potential for frac-out or spills of drilling fluid. Best management practices (BMPs) will be installed between the bore site and any flowing stream or wetland to prevent the mixture from entering the stream or wetland. Spill areas will be restored to pre-spill conditions, as practicable, and spill documentation and reporting will be carried out. Portable pumps will be kept on-site to control seepage to the surface and to prevent the mixture from entering streams or wetlands. If the mixture seeps to the surface in the stream or wetland channel, a pump will be used to pump it back to the drill site. If a release occurs at a high-risk boring location, the stream flow will be immediately dammed and flumed, and the bentonite will be contained and removed. At locations where boring is taking place adjacent to streams or wetlands, damming and flume materials will be pre-staged. During directional boring activities near streams or wetlands, construction crews will visually monitor bentonite flow and returns so that fluid loss can be identified before the material surfaces in the stream channel and promptly stop work if there is a detection of any bentonite or construction material release. If a spill is detected in a flowing channel, wetland, or other sensitive resource area, drilling will cease immediately, and spill prevention and control measures will be immediately employed to safely contain and remove the spilled materials. Concurrent with implementation of the containment measures, construction crews will contact the appropriate resource agency personnel, as indicated on local, state, or federal permits.	Nevada County or other incorporated jurisdiction, depending on location	Prior to and during construction of individual broadband projects	

Mitigation Measure	Monitoring Responsibility	Timing	Verification
Noise			
<p>Mitigation Measure 3.9-1: Implement Measures to Reduce Exposure to Construction Noise</p> <p>The construction contractors for individual fiber projects shall comply with the following measures for all construction activity to take place within 1,269 feet of noise sensitive receptors in the City of Grass Valley, Nevada County, and/or Town of Truckee and that are anticipated to generate exterior noise levels above 55 dB L_{eq} or that are within 23 feet of noise sensitive receptors in Nevada City:</p> <ul style="list-style-type: none"> ▶ Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. ▶ Locate noise generating equipment as far as possible from noise-sensitive uses when noise-sensitive uses adjoin or are near a construction project area. ▶ Use “quiet” air compressors and other stationary noise-generating equipment where appropriate technology exists. ▶ The project sponsor shall designate a “disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler) and will require that reasonable measures warranted to correct the problem be implemented. The project sponsor shall also post a telephone number for excessive noise complaints in conspicuous locations in the vicinity of the project site and send a notice to neighbors in the project vicinity with information on the construction schedule and the telephone number for noise complaints. ▶ Install temporary noise curtains as close as possible to the noise-generating activity such that the curtains obstruct the direct line of sight between the noise-generating construction activity and the nearby sensitive receptors. Temporary noise curtains shall consist of durable, flexible composite material featuring a noise barrier layer bounded to sound-absorptive material on one side. The noise barrier layer shall consist of rugged, impervious, material with a surface weight of at least 1 pound per square foot. ▶ Noise-reducing enclosures and techniques shall be used around stationary noise-generating equipment (e.g., concrete mixers, generators, compressors). ▶ Operate heavy-duty construction equipment at the lowest operating power possible. ▶ Provide a minimum of 1 week of advance notice to owners of all residential located within 1,300 feet of where construction activity would take place. This noticing shall inform the recipients of when and where construction would occur and the types of measures being implemented to lessen the impact at potentially affected receptors. This noticing shall also provide the contact information for the designated disturbance coordinator. 	Nevada County or other incorporated jurisdiction, depending on location	Prior to and during construction of individual broadband projects	

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