

## Appendix B

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### Mitigation Monitoring and Reporting Program

# MITIGATION MONITORING AND REPORTING PROGRAM

## INTRODUCTION

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

This MMRP addresses the El Dorado County Broadband Fiber Project (proposed project) Program Environmental Impact Report (PEIR) proposed by El Dorado County (County). The County is the Lead Agency for the project under CEQA and shall administer and implement the MMRP. The County is responsible for reviewing all monitoring reports, enforcement actions, and document disposition. The County shall rely on information provided by the Project site observers/monitors (e.g., construction manager, project manager, biologist, archaeologist, etc.) as accurate and up-to-date and shall provide personnel to field check mitigation measure status, as required.

## MMRP FORMAT AND IMPLEMENTATION

Mitigation measures that would reduce or eliminate potential environmental impacts of the proposed project are identified in the El Dorado County Broadband Fiber Project PEIR. These mitigation measures will become conditions of project approval if the project is approved. The County is required to verify that all adopted mitigation measures are implemented properly and to ensure compliance, this MMRP (including the checklist) has been formulated. The MMRP shall be adopted, along with CEQA Findings, by the County (Lead Agency) and must be administered by County personnel. Specific responsibilities are delineated for each measure in the attached checklist table and these responsibilities may be delegated to qualified County staff or consultants.

The checklist in the following table is intended to be used by the applicant, grading/construction contractors, and personnel from the County, as the appointed mitigation implementation and monitoring entities. Information contained within the checklist clearly identifies each mitigation measure, defines the conditions required to verify compliance, and delineates the monitoring schedule. Following is an explanation of the columns that constitute each MMRP checklist.

<u>Column 1</u>	<i>Mitigation Measure:</i> An inventory of each mitigation measure is provided.
<u>Column 2</u>	<i>Monitoring Responsibility:</i> Identifies who is responsible for determining compliance with each mitigation measure (e.g., El Dorado County, construction contractor, individual fiber project applicant, qualified biologist, archaeologist).
<u>Column 3</u>	<i>Implementation Schedule:</i> As scheduling is dependent upon the progression of the overall program, specific dates are not used within the “Schedule” column. Instead, scheduling describes a logical succession of events (e.g., prior to ground-disturbing activities, etc.) and, if necessary, delineates a follow-up program.
<u>Column 4</u>	<i>Monitoring Compliance Record Name/Date:</i> Column is left blank and is to be signed and dated when compliance with the mitigation measure has been met.

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Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
AESTHETICS				
<p><b>AES-1: Visual Impact Assessment</b></p> <p>For any aboveground individual fiber project proposed within the viewshed of a designated scenic vista, eligible State Scenic Highway, and/or designated State Scenic Highway, the project applicant shall prepare a Visual Impact Assessment (VIA) for Lead Agency review and approval. The VIA shall be prepared by a qualified professional with experience in visual resource analysis. The VIA shall evaluate the potential impacts of the project on scenic resources in accordance with the California Environmental Quality Act (CEQA) Guidelines, including but not limited to consideration of aesthetic values, visual quality, and the character of the surrounding landscape.</p> <p>The VIA shall include the following components:</p> <ul style="list-style-type: none"><li>• <u>Baseline Conditions</u>: Documentation of existing visual conditions, including photographs, renderings, and/or other visual tools to establish the project site’s current view and its relationship to surrounding scenic resources.</li><li>• <u>Visual Simulations</u>: Preparation of photo-realistic visual simulations depicting the project as proposed from key public viewpoints, including those within the scenic vista or from the State Scenic Highway.</li><li>• <u>Impact Analysis</u>: Identification of potential impacts on scenic vistas and resources, using thresholds of significance established under CEQA Guidelines or applicable local policies.</li><li>• <u>Design Recommendations or Mitigation Measures</u>: Identification of feasible design measures or project-specific mitigation measures to</li></ul>	Prior to approval of individual fiber projects	El Dorado County; Project Applicant		

<p>avoid, minimize, and/or reduce potentially significant visual impacts. These measures may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>○ Modifications to project design, height, massing, and/or orientation.</li> <li>○ Use of landscaping, vegetative screening, and/or earthworks to soften visual impacts.</li> <li>○ Use of non-reflective and/or neutral-colored materials to reduce visual contrast.</li> <li>○ Adjustment of lighting design to prevent glare and/or light trespass into sensitive areas.</li> </ul> <ul style="list-style-type: none"> <li>• All recommendations and mitigation measures identified in the VIA and approved by the Lead Agency shall be incorporated into project plans and specifications before project approval.</li> </ul>				
<b>AIR QUALITY</b>				
<p><b>AQ-1: Prepare a Fugitive Dust Mitigation Plan</b></p> <p>The applicant of an individual fiber project shall submit a Fugitive Dust Control Plan (FDCP) to the Air Pollution Control Officer of the El Dorado County Air Quality Management District (EDCAQMD) prior to the start of any construction activity for which a grading permit was issued by El Dorado County or incorporated city within El Dorado County. The FDCP shall implement all construction related best management practices (BMPs) included in Appendix C-1, Tables C.4 and C.5 of the EDCAQMD Guide to Air Quality Assessment. The FDCP shall be prepared in compliance with EDCAQMD Rule 223-1. Construction activities shall not commence until the Air Pollution Control Officer has approved or conditionally approved the FDCP.</p>	Prior to initiation of construction activities	Air Pollution Control Officer of the El Dorado County Air Quality Management District; El Dorado County; Project Applicant		

<p><b>AQ-2: Prepare an Asbestos Dust Mitigation Plan</b></p> <p>Prior to construction, an Asbestos Dust Mitigation Plan shall be submitted to the Air Pollution Control Officer if any portion of the individual fiber project area to be disturbed is within a designated Naturally Occurring Asbestos (NOA) review area on the El Dorado County Asbestos Review Area Map, Figure 4.3-1 of the PEIR(i.e., an area designated as “Found Area of NOA”, “Quarter Mile Buffer for Found Area of NOA”, “More Likely to Contain Asbestos”, or “Quarter Mile Buffer for More Likely to Contain Asbestos”). The Asbestos Dust Mitigation Plan shall be prepared in compliance with the El Dorado County Air Quality Management District (EDCAQMD) Rule 223-2. No construction activities shall occur until the Asbestos Dust Mitigation Plan is approved or conditionally approved by the Air Pollution Control Officer.</p> <p>If, prior to construction, any portion of the individual fiber project area to be disturbed is within a designated NOA review area on the El Dorado County Asbestos Review Area Map, Figure 4.3-1 of the PEIR, an exemption to the requirement for an Asbestos Dust Mitigation Plan may be granted by the Air Pollution Control Officer if a professional geologist has conducted a geologic evaluation of the property and determined that no serpentine or ultramafic rock, or asbestos, is likely to be found in the area disturbed, and a report detailing the geologic evaluation is submitted to the Air Pollution Control Officer for consideration. No construction activities shall occur until an exemption from the requirement for an Asbestos Dust Mitigation Plan is granted by the Air Pollution Control Officer.</p> <p>If, prior to construction (regardless of the area designation on the El Dorado County Asbestos Review Area Map, Figure 4.3-1 of the PEIR, and regardless of any previously granted exemption), the owner/operator, a professional geologist, or the Air Pollution Control Officer determines that any portion of the individual fiber project area to be disturbed has NOA, an Asbestos Dust Mitigation Plan shall be submitted to the Air Pollution Control Officer. No construction activities shall occur until the Asbestos Dust Mitigation Plan is approved or conditionally approved by the Air Pollution Control Officer.</p>	<p>Prior to and during construction of individual fiber projects</p>	<p>Professional Geologist or Air Pollution Control Officer of the El Dorado County Air Quality Management District; Project Owner/Operator</p>		
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<p>If, during construction (regardless of the area designation on the El Dorado County Asbestos Review Area Map, Figure 4.3-1 of the PEIR, and regardless of any previously granted exemption), NOA is discovered in any portion of the individual fiber project area to be disturbed by the owner/operator, a professional geologist, or the Air Pollution Control Officer, construction shall be halted, and an Asbestos Dust Mitigation shall be submitted to the Air Pollution Control Officer. Construction activities shall not resume until the Asbestos Dust Mitigation Plan is approved or conditionally approved by the Air Pollution Control Officer.</p>				
<b>BIOLOGICAL RESOURCES</b>				
<p><b>BIO-1: Prepare a Site-Specific Biological Resources Assessment</b></p> <p>Prior to approval of an individual fiber project, the applicant of an individual fiber project shall retain a qualified biologist to prepare a project-specific biological resources assessment (BRA). The project-specific BRA shall consist of data review and reconnaissance-level surveys prior to project implementation. The data reviewed will include the applicable biological resources setting, species and sensitive natural communities tables, and habitat information from the Biological Resources Section of the Program EIR for where the project will occur. It will also include review of the best available, current data for the area, including vegetation mapping data, species' distribution/range information, CNDDb, California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California, relevant BIOS queries, USFWS and NMFS database queries, and relevant general and regional plans. Reconnaissance-level biological surveys will include general surveys and habitat assessments of project impact areas and appropriate buffers for sensitive and special-status biological resources. The qualified surveyor will 1) identify and document sensitive resources, such as riparian communities, wetlands, oak woodlands, or other sensitive habitats or designated sensitive natural communities or wildlife nursery sites or habitat, and 2) assess the suitability of habitat within the project impact area to support special-status plant and animal species. The surveyor will also record any incidental wildlife observations.</p>	<p>Prior to approval of individual fiber projects</p>	<p>Qualified Biologist, California Department of Fish and Wildlife and/or U.S. Fish and Wildlife Service, El Dorado County, Project Applicant</p>		

<p>The project-specific BRA will also include an analysis of potential impacts on biological resources, and if it is determined during the biological resources assessment that special-status species are present within or adjacent to the project impact area or have the potential to occur within a project impact area, then the appropriate mitigation measures described below in Mitigation Measures BIO-2 through BIO-8 shall be recommended to avoid and/or reduce potential impacts as applicable. Potential measures for special-status species may include, but are not limited to, protocol-level surveys, nesting bird surveys, worker awareness trainings, and other focused preconstruction surveys as well as onsite biological monitoring during construction in sensitive habitats or habitats that could support special-status plants or wildlife.</p> <p>If it is determined that the project has potential to impact USFWS designated critical habitat and/or NMFS essential fish habitat, then the project applicant shall coordinate with CDFW and/or USFWS, as necessary, to determine avoidance and/or mitigation and/or measures to reduce potential impacts to a level that would be less than significant. Depending on site-specific conditions, agency involvement may be triggered through the regulatory permitting process or direct agency consultation.</p>				
<p><b>BIO-2: Conduct Worker Awareness Training for Applicable Special-Status Species</b></p> <p>If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that any special-status species have the potential to occur within a project impact area or be affected by project construction, then a qualified biologist shall provide environmental awareness training to all project-related personnel before the initiation of work. The training shall include the identification methods for the relevant potentially occurring special-status species, required best management practices to implement before the start of construction, general measures that are being implemented to protect the species as they relate to the project, penalties for non-compliance, and boundaries of the permitted disturbance zones. Upon completion of the training, all construction</p>	<p>Prior to start of construction on individual fiber projects.</p>	<p>Qualified Biologist, El Dorado County, Project Applicant</p>		



personnel will sign a form stating that they have attended the training and understand all the measures. Proof of this instruction shall be kept on file with the biologist on-site and the project applicant.				
<p><b>BIO-3: Implement Mitigation Measures for Special-Status Plant Species</b></p> <p>If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that special-status plant species have the potential to occur within a project impact area or be affected by project construction, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts to special-status plants.</p> <ul style="list-style-type: none"> <li>• Focused special-status plant surveys shall be conducted by a qualified biologist during the appropriate identification (blooming) periods before any ground disturbing activities in suitable habitat. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If no special-status plants are observed, then a letter report documenting the survey results shall be prepared and submitted to the project applicant and El Dorado County, and no further measures are recommended.</li> <li>• If special-status plants are observed within the project impact area, the location of the special-status plants shall be marked with pin flags or other highly visible markers and recorded with GPS equipment. The project applicant shall determine if the special-status plant(s) on-site can be avoided by project design or utilize construction techniques to avoid impacts to the special-status plant species. All special-status plants to be avoided shall have exclusion fencing or other highly visible material marking the avoidance area, and the avoidance area shall remain in place throughout the entire construction period. Avoidance areas shall also be marked on project plans.</li> </ul>	Prior to and during construction activities for individual fiber projects.	Qualified Biologist, California Department of Fish and Wildlife and/or U.S. Fish and Wildlife Service, El Dorado County, Project Applicant		

<ul style="list-style-type: none"> <li>If special-status plants are found within the project impact area and cannot be avoided, the project applicant shall consult with CDFW and/or USFWS, as appropriate, to determine appropriate measures to mitigate for the loss of special-status plant populations. These measures may include gathering seed from impacted populations for planting within nearby appropriate habitat or within the project footprint after construction, topsoil salvage and replacement, preserving or enhancing existing off-site populations of the plant species affected by the project, or restoring suitable habitat for special-status plant species habitat as directed by the regulatory agencies.</li> </ul>				
<p><b>BIO-4: Implement Mitigation Measures for Special-Status Aquatic Species</b></p> <p>If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that special-status aquatic species (Lahontan cutthroat trout, Lahontan mountain sucker, steelhead, mountain whitefish, Lahontan lake tui chub, southern long-toed salamander, Mount Lyell salamander, western spadefoot, California red-legged frog, foothill yellow-legged frog [North and South Sierra DPS], northern leopard frog, Sierra Nevada yellow-legged frog, or northwestern pond turtle) have the potential to occur within a project impact area or be impacted by construction, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.</p> <ul style="list-style-type: none"> <li>Project applicants shall consult with the qualified biologist during the project design phase to ensure that project designs make every attempt to avoid impacts to aquatic resources through project alignment shifts, work area restrictions, construction methods, or other means.</li> <li>A qualified biologist shall map aquatic resources with a sub-meter GPS and delineate suitable aquatic habitats as described in Mitigation Measure BIO-9. These aquatic features shall have wildlife exclusion fencing installed around them prior to the start of</li> </ul>	<p>Prior to and during construction activities for individual fiber projects.</p>	<p>Qualified Biologist, El Dorado County, Project Applicant</p>		

<p>construction. Wetland avoidance areas shall be depicted in project work plans. Fencing shall be solid fencing and not include a mesh design that could trap wildlife. Fencing shall be trenched into the soil at least six inches, and the soil must be carefully compacted against both sides of the fence for its entire length to prevent animals from entering the construction area. Exclusion fencing will be inspected daily for the duration of construction to ensure it remains intact, and any holes, tears, or gaps will be repaired immediately. Fencing will be removed upon construction completion.</p> <ul style="list-style-type: none"> <li>• Focused surveys for special-status aquatic species (Lahontan cutthroat trout, Lahontan mountain sucker, steelhead, mountain whitefish, Lahontan lake tui chub, southern long-toed salamander, Mount Lyell salamander, western spadefoot, California red-legged frog, foothill yellow-legged frog [North and South Sierra DPS], northern leopard frog, Sierra Nevada yellow-legged frog, or northwestern pond turtle) shall be conducted by a qualified biologist according to the most current agency protocols (<a href="https://wildlife.ca.gov/Conservation/Survey-Protocols">https://wildlife.ca.gov/Conservation/Survey-Protocols</a>) before any ground disturbing activities in suitable habitat. If no special-status aquatic species are detected, then a letter report documenting the survey results should be prepared and submitted to the project applicant, and no further measures are recommended.</li> <li>• A qualified biologist shall conduct a pre-construction survey for special-status aquatic species within 24 hours before the start of grading or land-disturbing activities. If the survey shows that there is no evidence of these species, then a letter report shall be prepared to document the survey and provided to the project applicant and El Dorado County, and no additional measures are recommended. If development does not commence within 24 hours of the survey, or halts for more than seven days, then an additional survey is required before starting or resuming work. <ul style="list-style-type: none"> <li>○ If any of these species are observed during the survey, no work shall occur within a 250-foot buffer of the species</li> </ul> </li> </ul>				
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<p>occurrence until consulting with the appropriate wildlife agencies to determine if additional mitigation and avoidance measures are required.</p> <ul style="list-style-type: none"> <li>A qualified biologist shall monitor construction and be present during all ground disturbance activities within suitable habitat for special-status species. If any of these special-status species are observed within the project impact area, all work shall immediately halt in the vicinity of the special-status aquatic species to allow the species to leave the area of its own will. If the special-status aquatic species is in immediate danger, the qualified biologist shall relocate the species outside of the construction zone, at a safe distance from all construction-related activities, and within suitable habitat as approved by the wildlife agencies. No one other than the qualified biologist shall handle, take, or otherwise harass the aquatic species. No work within a 250-foot buffer of the species occurrence shall resume until the aquatic species has left the project impact area or been relocated from areas of potential disturbance.</li> </ul>				
<p><b>BIO-5: Implement Mitigation Measures for Coast Horned Lizard</b></p> <p>If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that coast horned lizard has the potential to occur within a project impact area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.</p> <ul style="list-style-type: none"> <li>A qualified biologist shall conduct a pre-construction survey for coast horned lizard within 24 hours before the start of grading or land-disturbing activities. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If the survey shows that there is no evidence of this species, then a letter report shall be prepared to document the survey and provided to the project applicant and El Dorado County, and no additional</li> </ul>	<p>Within 24 hours prior to and during construction activities for individual fiber projects.</p>	<p>Qualified Biologist, California Department of Fish and Wildlife, El Dorado County, Project Applicant</p>		

<p>measures are recommended. If development does not commence within 24 hours of the survey, or halts for more than seven days, then an additional survey is required before starting or resuming work.</p> <ul style="list-style-type: none"> <li>○ If any coast horned lizards are observed during the survey, no work shall occur until CDFW has been consulted to determine appropriate mitigation and avoidance measures.</li> <li>• A qualified biologist shall monitor construction and be present during ground disturbance activities within suitable habitat. If coast horned lizards are observed within the project impact area during work, all work shall immediately halt in the vicinity of the observation to allow the lizard to leave the area of its own will. If the lizard is in immediate danger, the qualified biologist shall relocate the lizard outside of the construction zone, at a safe distance from all construction-related activities, and within suitable habitat as approved by CDFW. No one other than the qualified biologist shall handle, take, or otherwise harass the animal. No work within a 250-foot buffer of the species occurrence shall resume until the animal has moved or been removed from areas of potential disturbance.</li> </ul>				
<p><b>BIO-6: Implement Mitigation Measures for Special-Status Bird Species and Other Nesting Birds</b></p> <p>Active nests are protected by the California Fish and Game Code Section 3503.5 and the MBTA. Construction activities could result in disturbance of nest sites through temporary increases in ambient noise levels and increased human activity. In addition, vegetation clearing operations, including pruning or the removal of trees and shrubs, could impact nesting birds if these activities occur during the nesting season (February 1 to August 31). All vegetation clearing, including removal of trees and shrubs, shall be completed between September 1 and January 31, if feasible. If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1, that special-status bird species and other nesting birds have the potential to occur within a project area or be impacted by</p>	<p>Prior to and during construction activities occurring during the breeding season (February 1 through August 31) for individual fiber projects.</p>	<p>Qualified Biologist, El Dorado County, Project Applicant</p>		

<p>construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.</p> <ul style="list-style-type: none"> <li>• If construction activities are proposed to begin during the non-breeding season (September 1 through January 31), a survey is not required, and no further studies are necessary.</li> <li>• If vegetation removal and grading activities begin during the nesting season (February 1 to August 31), the project applicant shall require that a qualified biologist conduct a pre-construction survey of the project area for active nests. Additionally, the surrounding 500 feet should be surveyed for active raptor nests, where accessible. The pre-construction survey should be conducted within 7 days before the commencement of ground-disturbing activities. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If the pre-construction survey shows that there is no evidence of active nests, a letter report shall be prepared to document the survey, and no additional measures are recommended. If construction does not commence within 7 days of the pre-construction survey, or halts for more than 7 days, an additional survey is required before starting work.</li> <li>• If nests are found during construction activities and considered to be active, the qualified biologist shall establish buffer zones to prohibit construction activities and minimize nest disturbance until the young have successfully fledged. Buffer width will be determined by the qualified biologist and will depend on the species in question, surrounding existing disturbances, and specific site characteristics, but may range from 20 feet for some songbirds to 250 feet for most raptors. If active nests are found within any trees slated for removal, then an appropriate buffer shall be established around the trees and the trees will not be removed until the qualified biologist determines that the nestlings have successfully fledged.</li> </ul>				
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<p><b>BIO-7: Implement Mitigation Measures for Special-Status Bat Species</b></p> <p>If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that special-status bat species (pallid bat or Townsend's big eared bat) have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.</p> <ul style="list-style-type: none"> <li>• The project applicant shall require that a qualified biologist conduct a pre-construction survey within 7 days before clearing or grading operations. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If no bats are observed, a letter report should be prepared and submitted to the project applicant and El Dorado County to document the survey, and no additional measures are recommended. If construction does not commence within 7 days of the pre-construction survey, or halts for more than 7 days, an additional survey shall be completed before starting work.</li> <li>• If bats are present and roosting on or within 100 feet of the project area, then the qualified biologist shall establish an appropriate buffer around the roost site. At minimum, no trees or structures shall be removed until the biologist has determined that the bat is no longer roosting in the tree or structure. Additional mitigation measures for bat species, such as the installation of bat boxes or alternate roost structures, would be recommended if special-status bat species are found to be roosting within the project area.</li> </ul>	<p>Within 7 days prior to and during construction activities for individual fiber projects.</p>	<p>Qualified Biologist, El Dorado County, Project Applicant</p>		
<p><b>BIO-8: Implement Mitigation Measures for Other Special-Status Mammal Species</b></p> <p>If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1, that special-status mammal species (Sierra Nevada mountain beaver, Sierra Nevada snowshoe hare, Sierra</p>	<p>No more than 7 days prior to construction activities for individual fiber projects.</p>	<p>Qualified Biologist, El Dorado County, Project Applicant</p>		

<p>Nevada red fox, fisher, wolverine, or American badger) have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP, to avoid and/or reduce potential impacts.</p> <ul style="list-style-type: none"> <li>• Focused surveys for special-status mammal species (Sierra Nevada mountain beaver, Sierra Nevada snowshoe hare, Sierra Nevada red fox, fisher, wolverine, or American badger) shall be conducted by a qualified biologist as appropriate and following the most recent agency protocol (<a href="https://wildlife.ca.gov/Conservation/Survey-Protocols#377281285-mammals">https://wildlife.ca.gov/Conservation/Survey-Protocols#377281285-mammals</a>) before any ground disturbing activities in suitable habitat. Focused survey methods may include camera trapping or the use of track plates over extended periods of time. If no special-status mammals are detected, then a letter report documenting the survey results shall be prepared and submitted to the project applicant, and no further measures are recommended.</li> <li>• A qualified biologist shall conduct a preconstruction survey for special-status mammals no more than 7 days prior to the beginning of ground disturbance related to construction activities, or any other project activity likely to impact them (such as staging, mowing, vegetation clearing), to determine if there are any mammal dens on the project site. If there are no mammal dens on the project site, no further mitigation is necessary. If dens are located within the work area and cannot be avoided, a qualified biologist shall determine if the dens are occupied. If unoccupied, the dens shall be collapsed under the supervision of the biologist. If occupied, the biologist shall determine if it is a natal/pupping den or a solitary badger den. Dens of solitary individuals may be collapsed under the supervision of the biologist once the animal has vacated the den. Natal/pupping dens shall be avoided by establishment of an exclusion zone around the den, the size of the exclusion zone shall be determined by the qualified biologist on site, until the young are old enough to leave the den and survive on their own.</li> </ul>				
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<p><b>BIO-9: Jurisdictional Delineation and Regulatory Permitting</b></p> <p>If it is determined that impacts to jurisdictional waters or other sensitive natural communities cannot be avoided, then the applicant of an individual fiber project shall apply for any necessary permits from the United States Army Corps of Engineers (USACE), the California Department of Fish and Wildlife (CDFW), and the Regional Water Quality Control Board (RWQCB) (e.g., Section 401/404 permits, CDFW Lake or Streambed Alteration Agreement, etc.) prior to approval. If necessary, a formal delineation of wetlands and “other waters” of the U.S. shall be prepared in accordance with USACE’s <i>Corps of Engineers Wetlands Delineation Manual</i> and appropriate regional supplements to determine the extent of aquatic resources and quantify impacts. Impacts to jurisdictional waters and/or sensitive natural habitat shall be mitigated in accordance with agency requirements.</p>	Prior to approval of individual fiber projects	United States Army Corps of Engineers, California Department of Fish and Wildlife and/or Regional Water Quality Control Board, Project Applicant		
<p><b>BIO-10: Oak Resources Inventory</b></p> <p>If it is determined during the biological resources assessment that an individual fiber project will result in impacts to oak resources, depending on the location of an individual fiber project, the County, incorporated cities, or the Tahoe Regional Planning Agency (TRPA) may require mitigation for impacts to oak resources or regulated individual oak trees. Depending on the location of the individual fiber project, the County Community Planning and Building Department, City of Placerville Planning Division, City of South Lake Tahoe Planning Division, or TRPA may require an inventory of prematurely removed trees or canopy cover to determine the extent of the loss prior to approval of the individual fiber project. The inventory shall be prepared by a resource professional with expertise in oak woodlands ecology who is on the list of qualified consultants maintained by the County Community Planning and Building Department, City of Placerville Planning Division, City of South Lake Tahoe Planning Division, or TRPA. Resource professionals may include botanists, ecologists, wildlife biologists, and foresters.</p>	Prior to approval of individual fiber projects	Qualified Botanists/ Ecologist/ Wildlife Biologist/ Forester, El Dorado County Community Planning and Building Department, City of Placerville Planning Division, City of South Lake Tahoe Planning Division, Tahoe Regional Planning Agency		

<b>CULTURAL RESOURCES</b>				
<p><b>CUL-1: Archaeological Cultural Resources Investigations</b></p> <p><i>Preconstruction Screening Identification</i></p> <p>Prior to each phase of individual fiber projects, including installation and/or use of appurtenant structures, unpaved staging areas, and fiber optic line, El Dorado County shall request a records search for all project footprints for construction activities that require ground disturbance in areas that have not been previously subject to such disturbance. For those areas of native, unpaved soil that have not been adequately surveyed for archaeological cultural resources in the past, the County shall require a pedestrian field survey by a qualified professional archaeologist. If archaeological cultural resources are identified as a result of that survey, the County shall implement the recommendations of the consulting archaeologist to avoid or substantially reduce the severity of impacts on such resources. For those areas that have been surveyed previously, the County shall abide by the recommendations of the professional archaeologist who conducted the original survey.</p> <p><i>Known Resource Conflicts</i></p> <p>In the event that the records search described above identifies archaeological cultural resources that would be subject to a project-related impact, the County shall evaluate the status of the resource under CEQA. The archaeological resource shall be assessed for significance through the implementation of a Phase II investigation by a qualified archaeologist. This may require some or all of the following:</p> <ul style="list-style-type: none"> <li>• Development of a research design that guides assessments of site significance and scientific potential.</li> <li>• Mapping and systematic collection of a representative sample of surface artifacts.</li> </ul>	Prior to each phase of individual fiber projects	Qualified Archaeologist, El Dorado County, Descendent Tribal Communities		

<ul style="list-style-type: none"><li>• Subsurface investigation through shovel test pits, surface scrapes, or 1-by-1 meter excavation units; a combination of such methods; or equivalent methods.</li><li>• Analysis of recovered material to determine significance pursuant to the CEQA Guidelines.</li><li>• Preparation of a report, including an evaluation of site significance, and recommendations for mitigation, if appropriate.</li><li>• Appropriate curation of collected artifacts.</li></ul> <p>If the resource is precontact in nature, the Phase II investigation shall be coordinated with descendant tribal communities.</p> <p>If the Phase II evaluation concludes that the archaeological resource does not qualify as a historical resource (PRC Section 21084.1) or unique archaeological resource (PRC Section 21083.2), then no further study or protection of the resource is necessary. If the resource does qualify as a historical or unique archaeological resource, then the County shall require the implementation of the Phase III approach described below.</p> <p>A Phase III data recovery effort, in accordance with CEQA Guidelines, shall be implemented by the consulting archaeologist for those sites that are shown by the Phase II efforts to qualify as significant under CEQA. The County shall ensure that data recovery conducted to the level that reduces impacts to below the level of significance has been completed prior to individual fiber project implementation. The Phase III data recovery program shall include all or a combination of the following methods:</p> <ul style="list-style-type: none"><li>• Development of a research design to identify important research questions that may be answered through a systematic study of the resource.</li></ul>				
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<ul style="list-style-type: none"> <li>• Mapping and systematic collection of surface artifacts, possibly complete data recovered depending on site size.</li> <li>• Subsurface investigation through methods such as controlled hand-excavation units, machine excavations, deep testing, or a combination of methods. When applicable, other techniques, such as geophysical testing, may be warranted.</li> <li>• Analysis of recovered material through visual inspection and chemical analysis when applicable.</li> <li>• Preparation of a report.</li> <li>• Appropriate curation of collected artifacts.</li> </ul> <p>If the resource is precontact in nature, the Phase III investigation shall be coordinated with descendant tribal communities.</p>				
<p><b>CUL-2: Inadvertent Discovery of Archaeological Cultural Resources</b></p> <p>In the event that cultural resources are exposed during ground-disturbing activities, construction activities shall be halted within 100 feet of the discovery. Cultural resources could consist of but are not limited to stone, bone, wood, or shell artifacts, or features, including hearths, structural remains, or historic-era dumpsites. If the resources cannot be avoided during the remainder of construction, a consulting archaeologist who meets the Secretary of the Interior's <i>Professional Qualifications Standards</i> for archaeology shall assess the resource and provide appropriate management recommendations. The County shall implement those recommendations to avoid or substantially reduce the severity of impacts on significant resources.</p>	Immediately upon discovery of archaeological cultural resources	Qualified Archaeologist, El Dorado County		
<b>NOISE</b>				
<p><b>NOI-1: Construction Hours</b></p> <p>Construction activities shall not occur outside the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, or outside the hours of 8:00 a.m. and 5:00 p.m. on weekends, or at all on federally recognized holidays. Prior to</p>	Prior to issuing individual project construction permits	Project Applicant, Construction Contractor, El Dorado County		

starting construction activities, the project applicant or construction contractor shall post a publicly visible sign at the entrance to the individual fiber project site listing the allowable construction hours and the contact information, including telephone numbers, to report noise violations to the County and the contractor.				
<p><b>NOI-2: Backup Generator Noise Control</b></p> <p>Prior to approving individual fiber projects that require an emergency back generator, the County shall verify project plans including the following:</p> <ul style="list-style-type: none"> <li>Where feasible, emergency backup generators shall be installed no closer than 105 feet from any noise sensitive land use (NSLU; e.g., residences, schools, hospitals, convalescent homes, churches, libraries). If it is not feasible to locate emergency generators 105 feet or more from all NSLUs, the project proponent shall incorporate noise attenuating features (e.g., generator sound enclosures, noise barriers) into the equipment installation sufficient to reduce generator noise levels to 55 dBA <math>L_{EQ}</math> or less measured at outdoor use areas or building edges of the closest NSLU. Noise levels at NSLUs shall be verified by a qualified acoustical professional.</li> </ul>	Prior to approval of individual fiber projects	El Dorado County		
<p><b>NOI-3: Vibratory Roller Use</b></p> <p>Prior to issuing individual fiber project construction approvals or permits, the County shall ensure that construction documentation includes the following restrictions. Vibratory rollers shall be used in static mode only (no vibrations) within the following distances:</p> <ul style="list-style-type: none"> <li>Within 15 feet of any occupied building; and,</li> <li>Within 18 feet of any older residential building; and,</li> <li>Within 60 feet of a fragile historical building, ruin, or ancient monument.</li> </ul>	Prior to issuing individual fiber project construction permits	El Dorado County		

<b>TRANSPORTATION</b>				
<b>Mitigation Measure TRA-1: Traffic Control and Detour Plan</b>  Prior to the issuance of an encroachment permit, a Traffic Control and Detour Plan shall be developed for individual fiber projects that would require an encroachment permit for construction activities along ROW to manage traffic during construction. The applicant shall consult with the Lead Agency and/or Caltrans prior to initiation of construction activities that may affect area traffic (such as construction staging necessitating lane closure, trenching, etc.) to ensure that the Traffic Control and Detour Plan is prepared in conformance with applicable code and ordinance requirements for emergency access. The construction contractor shall implement appropriate traffic controls identified in the Traffic Control and Detour Plan in accordance with the California Vehicle Code and other State and local requirements to avoid or minimize impacts on traffic during construction. The Traffic Control and Detour Plan shall be submitted to the agency responsible for issuing the encroachment permit for review and approval prior to the commencement of construction activities.	Prior to issuing individual fiber project encroachment permit	El Dorado County, Caltrans		
<b>TRIBAL CULTURAL RESOURCES</b>				
<b>TCR-1: Tribal Consultation</b>  When an application for an individual fiber project is deemed complete by El Dorado County, the County, as CEQA Lead Agency, shall conduct the appropriate tribal consultation outreach to relevant California Native American tribes, pursuant to PRC Section 21080.3.1, for all individual fiber projects included within the scope of the El Dorado County Broadband Fiber Project Program EIR prior to project approval. Pursuant to PRC Section 21080.3.1 (b), the tribes will have 30 days for Assembly Bill 52 (AB 52) from the receipt of the request for consultation to either request or decline consultation, in writing, with the County for each proposed individual fiber project. In the event that a general plan or specific plan adoption or amendment is required for the implementation of an individual fiber project, the County shall comply with the requirements of Senate Bill 18 (SB 18), in coordination with AB 52, as described in California Government Code Section 65352.3.	When an application for an individual fiber project is deemed complete; Prior to project approval.	El Dorado County		

<b>TCR-2: Tribal Treatment and Tribal Consultation</b>  In the event that potential tribal cultural resources (TCRs) are exposed during ground-disturbing activities, construction activities (e.g., grading, grubbing, or vegetation clearing) shall be halted in the immediate vicinity of the discovery. The consulting tribe that is culturally and geographically affiliated with the area shall then be retained to evaluate if the resource is a Tribal Cultural Resource, and thus significance under CEQA. If the discovery is a Tribal Cultural Resource, additional work and mitigation measures shall be required, such as those listed in PRC §21084.3, as deemed appropriate by the tribal organization consulting on the find. Such mitigation may include avoidance and preservation in place as the preferred alternative.	Immediately upon discovery	Tribal Organization Consulting on the find		
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