

Mitigation Monitoring and Reporting Plan
For the
Pleasant Valley Road at Oak Hill Road Intersection
Improvements Project
Project #73358

Purpose

El Dorado County (County) has prepared a Mitigated Negative Declaration (MND) for the proposed Pleasant Valley Road at Oak Hill Road Intersection Improvements Project. The MND identified one mitigation measure that is required to avoid potentially significant impacts of the proposed project or to reduce impacts to less-than-significant levels. This Mitigation Monitoring and Reporting Plan (MMRP) lists the impact and corresponding mitigation measure that must be implemented in association with the project, if adopted by the Board of Supervisors upon adoption of the MND. This MMRP will be used by the County to ensure implementation of the mitigation requirements of the project and to verify that all required mitigation measures are incorporated into the project.

El Dorado County, as the lead agency in CEQA compliance, will be responsible for overseeing implementation and administration of this MMRP. The County will designate a staff member to manage the MMRP. Duties of the staff member responsible for program coordination would include conducting routine inspections, reporting activities, coordinating with the project contractor, and ensuring enforcement measures are taken if necessary.

Regulation

California Public Resources Code Section 21081.6 requires public agencies to adopt mitigation or reporting plans when they approve projects requiring preparation of a MND that identifies significant environmental impacts. The reporting and monitoring plans must be adopted when a public agency makes its findings pursuant to the California Environmental Quality Act (CEQA) so that the mitigation requirements can be made conditions of project approval.

Prepared: January 2010

Adopted by Board of Supervisors on: _____

Impact IV (d)-1: Habitat in and adjacent to the project site provides potential nesting habitat for raptors and other migratory birds. Fish and Game Code 3503.5 protects all birds known as birds of prey, including raptors, falcons, and owls. Migratory birds are protected under the Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711). The MBTA

applies to construction activities and construction-related disturbance. With implementation of the following avoidance and minimization mitigation measures, the proposed Project will not adversely affect birds of prey or other migratory birds.

Measure 1– Migratory Bird Nesting Avoidance

- A preconstruction survey for active nests of birds of prey and migratory birds shall be conducted no more than 2 weeks prior to construction if construction is anticipated to occur between March 1 and August 31. If no active nests are found, no additional avoidance and minimization measures are necessary.
- If an active nest is located within 250 ft. of a construction area between March 1 and August 31, the biologist shall:
 - Record the location(s) on a site map;
 - Establish a minimum 250 ft. buffer around the nest tree or nest location;
 - The buffer zone shall be maintained until the end of the breeding season. No construction activities shall occur within 250 feet of a nest tree or nest locations while young are in the nest.
 - Monitor the nest weekly during construction to evaluate potential disturbance caused by construction activities.
 - If establishment of a buffer is not practical, Department of Fish & Game may be contacted for further avoidance and minimization guidelines.

No compensatory mitigation is required for birds of prey and other migratory birds. No cumulative effects were identified. The project will not cause an increase in traffic or encourage changes to existing land use patterns.

Implementation: This measure shall be implemented in the manner described above

Criteria: The County will prepare and keep on file documentation identifying findings of the preconstruction survey.

Timing: Pre-Construction Phase if construction takes place between March 1 and August 31.

Verified By: _____ **Date:** _____
DOT Project Manager