



COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
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COUNTY OF LAKE
MITIGATION AND MONITORING PLAN
FOR
CLOVER CREEK BRIDGE REPLACEMENT (14C-0015)
FEDERAL PROJECT NO. BRLO-5914 (079)

Pursuant to the approval of the Lake County Planning Commission on **January 28, 2021**, there is hereby granted to **Lake County Department of Public Works** a Mitigation and Monitoring Plan with the following conditions of approval. This Mitigation and Monitoring Plan shall authorize **replacement of the bridge over Clover Creek at First Street** located on County of Lake Right-of-Way in the vicinity of **APN(s) 027-195-09, 027-196-011, 027-197-051 & 027-221-11**, subject to the following terms and conditions.

A. General

1. This project shall substantially conform to the application materials submitted to the Community Development Department July 31, 2012 for the replacement of the bridge on First Street crossing Clover Creek, and the associated staging areas. Minor modifications not resulting in increased environmental impacts may be approved in writing by the Community Development Director.
2. Contracts issued by the Lake County Department of Public Works for the project shall require the referencing and implementation of these mitigation measures.
3. The project shall be consistent with the applicable Performance Standards of Article 41 of the Lake County Zoning Ordinance.
4. Within 90 days of the completion of the project, the Public Works Department shall report to the Board of Supervisors on compliance with these mitigation measures.
5. These mitigation measures do not abridge or supersede the regulatory powers or permit requirements of any federal, state, or local agency, or special district or department which may retain a regulatory or advisory function as specified by statute or ordinance. Lake County Department of Public Works shall obtain permits as may be required from each agency.

B. Air Quality and Noise

1. Vegetation removal and disposal shall conform to requirements of the Northshore Fire Protection District and the Lake County Air Quality Management District. Brush chipping and spreading for erosion control or composting is recommended.
2. Work practices shall implement standard fugitive dust control measures consistent with the rules and regulations of the Lake County Air Quality Management District at all times during construction to reduce the impact of fugitive dust emissions to a less than significant level in staging areas, work areas, and adjoining roads.
3. Noise-generating construction activities shall be restricted to the hours of 7:00 a.m. to 7:00 p.m. If work is necessary outside of these hours, the County will require the contractor to implement a construction noise monitoring program and provide additional mitigation as necessary to meet the County's Zoning Ordinance noise limits (in the form of noise control blankets or other temporary noise barriers, etc.)
4. Contractors shall assure that mobile noise-generating equipment and machinery are shut off when not in use.
5. At least 72 hours prior to commencing construction, neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.

6. A project liaison shall be designated to respond to noise complaints during the construction phase. The name and phone number of the liaison shall be conspicuously posted at construction areas and on all advanced notifications. This person shall take steps to resolve complaints, including periodic noise monitoring, if necessary. Results of noise monitoring shall be presented at regular project meetings with the project contractor, and the liaison shall coordinate with the contractor to modify any construction activities that generated excessive noise levels to the extent feasible.
7. A reporting program that documents complaints received, actions taken to resolve problems, and effectiveness of these actions shall be required and maintained throughout construction.
8. A pre-construction meeting with the job inspectors and the general contractor/on-site project manager shall be held to confirm that noise mitigation and practices (including construction hours, construction schedule, and noise coordinator) are completed.
9. Stationary construction noise sources shall be located as far from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) will be used. Any enclosure openings or venting will face away from sensitive receptors.
10. The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists. Impact tools, such as jackhammers, rock drills, etc., used for project construction shall be hydraulically or electrically powered whenever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used; such mufflers can lower noise levels from the exhaust by up to 10 dBA. External jackets on the tools themselves shall be used where feasible, which could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.

C. Biological and Cultural Resources

1. Prior to construction, a qualified biologist shall re-survey the project site to ensure biological resources is present and incorporate new mitigation measures for protected species as needed.
2. Seasonal construction restrictions will be imposed between March 1 and June 30 when adults, eggs, and larvae would potentially be present on elderberry vegetation. During this period no vegetation removal is allowed and no work shall be conducted within 20 feet of elderberry shrubs.
3. A qualified biologist shall be on site during all clearing activities upstream of the existing bridges in order to identify the elderberry shrubs and verify that appropriate buffers are maintained between construction equipment and the elderberry shrub.
4. To avoid potential impacts to Clear Lake hitch, foothill yellow-legged frog and western pond turtle, work within the creek channel shall be restricted to between June 15 and October 15 and only when the stream channel is dry.
5. To avoid potential impacts to western pond turtles, work within the channel shall occur either prior to April 1 or after August 15, or when the channel is dry. Downed trees, stumps and other basking sites and refuges within these aquatic habitats shall remain undisturbed.
6. To avoid potential impacts on Yellow warbler and Yellow-breasted chat, work within 100 feet of the red willow riparian habitat along Clover Creek shall be avoided from February 15 through August 31 in order to avoid the potential for disrupting nesting and breeding, unless the work is preceded by the survey described below under compensatory mitigation.
7. Limit clearing to no more than 50 feet upstream and downstream of the bridge. Vegetation removal should be limited to Himalayan blackberry, ivy, and giant reed on both sides of the bridge. Avoid removal of trees and willows. Mitigation for elderberry is beyond the scope of this assessment but will be required by Caltrans environmental review staff.
8. Limit activities to the proposed project to those involving maintenance of the existing bridge and vegetation clearing. Use of cranes should be limited to the adjacent roadway with precautions to contain lost hydraulic fluid.

9. All vegetation shall be removed by hand powered or manual equipment (i.e. machete, weed whacker, etc.). Vegetation removal shall be limited to what is needed for the sole purpose of surveying and access of equipment. No ground disturbing activities shall result from vegetation removal. Access shall be by foot only and no non-hand held equipment shall be used within the creek channel.
10. Prior to commencement of activities within the bed or bank of the creek, a Streambed Alteration Agreement shall be obtained from the California Department of Fish and Wildlife (CDFW).
11. The Army Corps of Engineers shall be notified and any necessary permits shall be obtained in conjunction with Section 404 of the Clean Water Act. A Water Quality Certification shall be obtained from the Central Valley Regional Water Quality Control Board.
12. The California Department of Fish and Wildlife filing fee shall be submitted as required by CEQA statute, Section 21089(b), and Fish and Game Code Section 711.4. The fee must be submitted to the Community Development Department within 30 days of approval of the mitigated negative declaration.
13. No work shall be performed in the stream until the stream bed is dry, unless the stream diversion alternative mitigation described below is performed prior. All the conditions of such permit shall be adhered to throughout the course of the project to reduce impacts to a less than significant level.
14. The project design shall incorporate appropriate BMPs consistent with County and State storm water drainage regulations to insure that no debris enters the creek that could cause filling or hydrological interruption.
15. Should any cultural, archaeological or paleontological materials be discovered during construction activities, all activity shall be halted in the vicinity of the find(s), and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, they shall be treated in accordance with Public Resources Code Section 5097.98.

D. Geology and Soils

1. The project design shall incorporate appropriate BMPs including but not limited to the following, consistent with County and State storm water drainage regulations to prevent or reduce discharge of all construction or post-construction pollutants and hazardous materials offsite or into the creek.
 - Construction will be done during summer months when the chance of precipitation is lowest.
 - Construction equipment will be cleaned and inspected prior to use. Equipment maintenance and fueling will be done at designated staging areas.
 - On-site stockpiles will be isolated with silt fence, filter fabric, and/or straw bales/fiber rolls.
 - Silt fence or fiber rolls will be placed below the project areas to contain loose rolling rocks and sediment. Silt fence/fiber rolls will be kept in place and maintained during the entire project. Any sediment caught by the fence or rolls will be removed before the fence/rolls are pulled.
 - Ground disturbed by construction work will be revegetated with fast-growing native grasses and sterile hybrids and mulched when work is complete. Riparian habitat will be replanted in kind or as stated in the permits issued by RWQCB, DFW or USACE.
 - The site will be monitored by Public Works personnel during winter rains and any evidence of erosion (rilling, gullies, etc.) will be repaired immediately. In addition, areas where revegetation is not successful will be reseeded and re-mulched to ensure vegetative ground cover.
2. Erosion control materials shall be available on site at all times in the form of straw, wattles, sand bags, or other erosion control materials adequate to cover areas of disturbed soils or incipient erosion events. This method will also be used in an event of a forecast storm to prevent any potential runoff to any natural drainages.
3. Any soil disturbances shall be avoided between October 15 and April 15 and during times of active precipitation.

4. All backfilling materials shall have a low shrink-swell potential.

E. Hazards and Hazardous Materials

1. No substances toxic to aquatic life shall be discharged into Clover Creek (e.g., diesel fuel, oil, hydraulic fluid, run-off from curing concrete, etc.) All backfilling materials shall have a low shrink-swell potential.
2. The project design shall incorporate appropriate BMPs consistent with County and State storm water drainage regulations to prevent or reduce discharge of all construction or post-construction pollutants and hazardous materials offsite or into the creek.
3. The project's contractor shall prepare an emergency response and cleanup plan prior to beginning work at the site. The plan shall detail the methods to be used to contain and cleanup spills of petroleum products or other hazardous materials in the work area.
4. All demolition work at the project site will be performed by licensed contractors and is subject to regulation by Code of Federal Regulations and California Code of Regulations.
5. A written National Emissions Standards for Hazardous Air Pollutants, (NESHAP) notification form shall be submitted to the Lake County Air Quality Management District (LCAQMD) at least 10 business days prior to conducting any structural or demolition work to the bridge, regardless of the presence or absence of asbestos in building materials. The LCAQMD Asbestos Demolition/Renovation Notification Form is to be filled out by the contractor conducting the work.
6. Brush shall be cut and removed, and grass shall be mowed in the staging areas.
7. Vehicles and equipment shall be maintained and operated in a manner to prevent hot surfaces, sparks or any other heat sources from igniting grasses, brush or other highly combustible material.

F. Hydrology and Water Quality

1. The project would implement Caltrans Best Management Practices (BMPs) for erosion control, including but not limited to:
 - Any concrete structures (such as headwalls or abutments) below the tops of banks shall be placed in tightly sealed forms and shall not come in contact with surface waters until the concrete has fully cured.
 - No substances toxic to aquatic life shall be discharged into Clover Creek (e.g., diesel fuel, oil, hydraulic fluid, run-off from curing concrete, etc.).
 - ESA fencing would be placed along the upstream and downstream limits of the work area to prevent construction equipment and/or construction personnel from inadvertently impacting areas of the streambed outside the designated work area.
 - If hydroseed mixes are used to stabilize disturbed areas, such mixes shall not contain fertilizers.
 - If feasible, equipment maintenance and fueling areas shall be located at least 50 feet away from the creek bank. Fueling must be behind a containment barrier that shall prevent any spilled or leaked fuel from running into the creek. All equipment servicing must occur within designated areas. All motorized equipment used during construction or demolition activities shall be checked for oil, fuel, and coolant leaks prior to initiating work. Any equipment found to be leaking fluids shall not be used in or around aquatic habitat features in order to minimize the chances of contaminating the habitat.
 - The project's contractor shall prepare an emergency response and cleanup plan prior to beginning work at the site. The plan shall detail the methods to be used to contain and cleanup spills of petroleum products or other hazardous materials in the work area.
 - The project design and water quality plan will comply with required work as stated in the Natural Environment Study to avoid and minimize impacts to Clear Lake hitch and Western pond turtle.

G. Transportation/Traffic

1. Local sheriff, fire districts, and ambulance services shall be notified prior to the commencement of construction with information specifying the date and times of anticipated traffic delays and

diversions. All traffic delays will be minimized whenever possible. Construction road closures during school bussing hours shall be avoided

H. Monitoring and Timing

1. All grading shall occur between April 15 and October 15 of any given year, unless an extension is granted by the Community Development Director based on dry weather conditions.
2. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
3. This permit shall be valid for an indefinite period of time unless it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

Scott DeLeon
Community Development Director

By: _____
Sateur Ham, Assistant Planner

Acceptance

I have read and understand the foregoing Conditionals of Approval and agree to each and every term and condition thereof.

Date: _____

Signature of applicant or authorized agent

Printed name of applicant or authorized agent