

Appendix B

Mitigation Monitoring and Reporting Plan (MMRP)

for the

Forbestown Shaded Fuel Break Project

Initial Study/Mitigated Negative Declaration

Butte County, California

In accordance with CEQA Guidelines Section 15074(d), when adopting a mitigated negative declaration, the lead agency will adopt a Mitigation Monitoring and Reporting Plan (MMRP) that ensures compliance with Mitigation Measures required for project approval. The Butte County Resource Conservation District (BCRCD) is the lead agency for the Forbestown Shaded Fuel Break and has approved this MMRP as a part of the final Initial Study/Mitigated Negative Declaration (IS/MND) supporting the project. Monitoring activities will be completed by the Project Manager listed in this IS/MND. The MMRP lists the Mitigation Measures developed in the IS/MND which were designed to reduce environmental impacts to a less-than-significant level. This MMRP also identifies the party responsible for implementing the measure, defines when the Mitigation Measure must be implemented, and which party or public agency is responsible for ensuring compliance with the measure.

Potentially Significant Effects and Mitigation Measures

The following is a list of the resources that will be potentially affected by the project and the Mitigation Measures made part of the Initial Study/Mitigated Negative Declaration. Included are Air Quality, Biological Resources, Cultural Resources, Hazards and Hazardous Materials along with Hydrology and Water Quality.

Mitigation Measure #1: All wet and dry stream courses will be protected by a 75' or to break in slope "No Treatment Zone" unless the slope within the inner riparian zone and core riparian zone have slopes of greater than 50%. In such instances all wet and dry stream courses will be protected by a 100' or to break in slope "No Treatment Zone". Ditches, canals and other man made water conveyance structures will be protected by a 25' "No Treatment Zone". All buffers will be established on both sides of stream channels and flow structures. All springs will be encircled by a 75' "No Treatment Zone". "No Treatment Zones" will be established and flagged as directed by the Project Manager prior to the implementation of any project work. Monitoring photographs will be taken by the Project Manager before and after completion of project work in order to document compliance with Mitigation Measure #1 and these will be incorporated into the project file.

Schedule:

Responsible Party:

Verification of Compliance:

Monitoring Party: HSRC&D

Initials: _____

Date: _____

Mitigation Measure #2: Personnel specifically trained in the identification of List 1, List 2 and List 3 species or a professional botanist will be required to evaluate potential habitat for these species prior to implementation of work within the project area during the appropriate blooming or identification period. Such personnel will also evaluate potential findings of any such plants within treatment areas during the execution of project work. If any Federal or State listed threatened or endangered species are detected in the project area that may be impacted by the project work, then all project related activities will immediately stop within that area which will be flagged with a 25' "No Treatment Zone". All sightings will be documented using the California Natural Diversity Data Base (CNDDDB) field survey form a copy of which will be submitted to the CNDDDB and the USFWS. A copy will also be incorporated into the project files. Qualifications for personnel who will make evaluations of sites include those found in the California Department of Fish and Game's 2009 document entitled "**Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities**"(Attached).

Schedule:

Responsible Party:

Verification of Compliance:

Monitoring Party: HSRC&D

Initials: _____

Date: _____

Mitigation Measure #3: USFWS 1999 guidelines will be followed if valley elderberry is encountered outside the "No Treatment Zone" described in Mitigation Measure #1 during the implementation of project work.

Schedule:

Responsible Party:

Verification of Compliance:

Monitoring Party: HSRC&D

Initials: _____

Date: _____

Mitigation Measure #4: In order to protect any species covered by the Migratory Bird Treaty Act (MBTA), no fuels treatment work will occur between March to August, unless the following is implemented: 1. A survey is conducted by a biologist or a person with knowledge of, and ability to recognize, species protected by the MBTA and it is determined that there are no occupied nests within the proposed activity area. 2. If an occupied nest is found, then a biologist or a person with knowledge of, and ability to recognize, species protected by the MBTA will determine if the birds present are those protected by the MBTA. 3. If an MBTA species is located then no activities will occur within 100 feet of the nest during the breeding season.

Schedule:
Responsible Party:
Verification of Compliance:
Monitoring Party: HSRC&D
Initials: _____
Date: _____

Mitigation Measure #5: In order to prevent the spread of invasive plant species all heavy equipment to be used in the execution of project work will be cleaned off site prior to use within the project area. The Project Manager will assure and document equipment cleaning. Documentation of cleaning will be incorporated into the project file.

Schedule:
Responsible Party:
Verification of Compliance:
Monitoring Party: HSRC&D
Initials: _____
Date: _____

Mitigation Measure #6: An individual knowledgeable in identifying cultural resources will be on site prior to all ground disturbing activities in order to assure that all archeological, prehistoric, historic or paleontological resource sites along the path of the fuel break or within 30 feet beyond the project boundary have been flagged and that equipment operators and others working in the project areas are informed about their locations. Such individuals may be an RPF with Cal Fire archeological certification, a professional archeologist or other individuals with appropriate training as determined by a professional archeologist.

Schedule:
Responsible Party:
Verification of Compliance:
Monitoring Party: HSRC&D
Initials: _____
Date: _____

Mitigation Measure #7: Within areas of ground or vegetation disturbing activities, if project work appears to expose any previously unknown archeological, prehistoric, historic or paleontological resource sites along the path of the Fuel break or within 30 feet beyond the project boundary, the site will be avoided. Work may continue elsewhere within the overall project area. Exposed cultural or paleontological resources will be appropriately flagged in order to immediately establish an exclusion buffer of at least 100 feet. A professional archeologist will examine the site, evaluate found objects and make a finding of their significance. The

archeologist will also develop recommendations for the permanent protection of objects and site treatments as necessary. Identified sites will be permanently protected through avoidance. These sites will be made off limits to both personnel and equipment. A professional archeologist will determine an appropriate permanent flagged exclusion zone once the site has been adequately assessed for significance. Findings of significance will be prepared and submitted to appropriate agencies as well as appropriate Native American groups at the discretion of the professional archeologist. As appropriate, findings will be recorded in the project files.

Schedule:

Responsible Party:

Verification of Compliance:

Monitoring Party: HSRC&D

Initials: _____

Date: _____

Mitigation Measure #8: If during the execution of project work human remains are found, the Project Manager will halt work at that location until a professional archaeologist visits the site in order to assess their significance and process the remains and the County coroner will be immediately notified. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) and Native American groups at the discretion of the professional archeologist will be notified within 24 hours and the guidelines of the NAHC will be adhered to in the treatment and disposition of the remains. Findings of significance will be prepared and submitted to appropriate agencies at the discretion of the professional archeologist. Findings will also be recorded in the project files by the Project Manager. Project work may continue on other non-impacted portions of the project area.

Schedule:

Responsible Party:

Verification of Compliance:

Monitoring Party: HSRC&D

Initials: _____

Date: _____

Mitigation Measure #9: No equipment operations will occur on slopes exceeding 50 percent and will not occur on any unstable areas, regardless of slope percentage. Slope and suitability for equipment operations will be determined by a Registered Professional Forester (RPF) or the Project Manager.

Schedule:

Responsible Party:

Verification of Compliance:

Monitoring Party: HSRC&D

Initials: _____

Date: _____

Mitigation Measure #10: During the implementation of project work, dozer blades will be maintained at least 2 to 3 inches above ground throughout the project area. Periodic inspection of blade height will be made by the Project Manager during the execution of project work in order to insure dozer operator adherence

Schedule:
Responsible Party:
Verification of Compliance:
Monitoring Party: HSRC&D
Initials: _____
Date: _____

Mitigation Measure #11: Waterbars will be installed on slopes of 30% or greater where 500 sq. ft. or more of soil has been exposed by project activities. Waterbars are to be installed where vegetation treatments lead into or have access to a watercourse. An adequate number of waterbars as determined by a RPF, other suitably trained personnel, or the Project Manager will be installed per the provisions of California Forest Practices Act 934.6 in order to prevent the degradation of water quality. Waterbar installation will be inspected by the Project Manager during subsequent precipitation events throughout the following winter season in order to assure their adequacy. Condition and operation of waterbars will be recorded in the project files.

Schedule:
Responsible Party:
Verification of Compliance:
Monitoring Party: HSRC&D
Initials: _____
Date: _____

Mitigation Measure #12: Any newly-exposed soil of over 100 square feet in area will be mulched with brush to minimize the potential for erosion. Hand water bars will be installed to divert water onto stabile vegetation and away from watercourses, as needed. Verification of proper installation and sufficiency of both mulching and waterbars will be made by the Project Manager prior to and following the season's first precipitation event and recorded in the project file.

Schedule:
Responsible Party:
Verification of Compliance:
Monitoring Party: HSRC&D
Initials: _____
Date: _____

Mitigation Measure #13: The Project Manager will select refueling and maintenance areas for heavy equipment, chainsaws and other combustion powered hand tools on flat sites that are away from dry or wet waterways as well as areas that could potentially flow into a stream in the event of an accidental spill. Fuel containment equipment (i.e., absorbent sheets and waddles) will be made available and used at refueling and maintenance areas. Fuel spillage will be minimized by conducting these operations in flat areas. Equipment will be stored and maintained within properly cleared areas. The Project Manager will inspect refueling areas to assure compliance with this Mitigation Measure. These inspections will also verify the sites' adequacy in protecting riparian and terrestrial resources as well as the use and availability of containment equipment.

Schedule:
Responsible Party:
Verification of Compliance:
Monitoring Party: HSRC&D
Initials: _____
Date: _____

Mitigation Measure #14: Contractors or landowners providing operations equipment (dozers, etc.) will make daily inspection of equipment for leaks, correcting and repairing any such leaks prior to resuming their use. The inspection reports will be submitted to the Project Manager along with evidence of any repairs required and completed before returning equipment to project work sites. Inspection reports will be incorporated into the project files. In the event that equipment will need to cross live streams, a California Department of Fish and Game Stream Alteration Agreement may be required at the discretion of that agency.

Schedule:
Responsible Party:
Verification of Compliance:
Monitoring Party: HSRC&D
Initials: _____
Date: _____

Mitigation Measure #15: Contractors or landowners providing equipment will provide adequate fire protection equipment. This will include a water wagon located at equipment operation areas as well as fire extinguishers attached to all mechanized equipment. In addition, fire fighting hand tools will be made available at all areas where equipment is operated.

Schedule:
Responsible Party:
Verification of Compliance:
Monitoring Party: HSRC&D
Initials: _____
Date: _____

Mitigation Measure# 16: Any existing drainage features will be protected from project related impacts and will remain free of obstruction.

Schedule:

Responsible Party:

Verification of Compliance:

Monitoring Party: HSRC&D

Initials: _____

Date: _____

Appendix C
CNDDDB Map Printout Spreadsheet
Forbestown Shaded Fuel Break Project

Appendix D
Protocols for Surveying and Evaluating
Impacts to
Special Status Native Plant Populations and
Natural Communities

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