

ENVIRONMENTAL COMMITMENTS RECORD (ECR)

Bridge Street Bridge Rehabilitation Project [BRL0-5199(027)]

Date: August
2019

TASK #	TASK AND BRIEF DESCRIPTION	REFERENCE	TIMING/PHASE	COMMENTS	ENVIRONMENTAL COMPLIANCE INITIAL/DATE
PRE-CONSTRUCTION					
1	Prior to construction, the City of Arroyo Grande Public Works Department will obtain a Section 404 Permit from the United States Army Corps of Engineers (USACE/Corps), a Section 401 Water Quality Certification (WQC) from the Regional Water Quality Control Board (RWQCB), and a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW) for project related impacts that will occur in areas under state and federal jurisdiction.	Biological Assessment (BA), Natural Environment Study (NES), Initial Study/Mitigated Negative Declaration (IS/MND) BIO/mm-1	<u>Pre-Construction</u> : City will obtain Section 404 permit, Section 401 WQC, and 1602 Streambed Alteration Agreement prior to initiation of project construction.		
2	[The Section 404] permit is contingent upon the issuance of a Section 401 WQC. The Permittee shall abide by the terms and conditions of the Clean Water Act (CWA) Section 401 WQC. The Permittee shall submit the section 401 WQC to the Corps Regulatory Division (preferably via email) within two weeks of receipt from the issuing state agency. The Permittee shall not proceed with construction until receiving an e-mail or other written notification from Corps Regulatory Division acknowledging the Clean Water Act 401 WQC has been received, reviewed, and determined to be acceptable. If the RWQCB fails to act on a valid request for certification within 60 days after receipt of a complete application, please notify the Corp.	CWA Section 404 Permit Special Condition 1	<u>Pre-Construction</u> : City will obtain a Section 401 WQC and notify the USACE.		
3	The [City] shall clearly mark the limits of the workspace with flagging or similar means to ensure mechanized equipment does not enter avoided waters of the U.S. and riparian wetland/habitat areas shown on the Jurisdictional Impacts Map. Adverse impacts to waters of the U.S. beyond the Corps-approved construction footprint are not authorized. Such impacts could result in permit suspension and revocation, administrative, civil or criminal penalties, and/or substantial, additional, compensatory mitigation requirements.	CWA Section 404 Permit Special Condition 2	<u>Pre-Construction</u> : Contractor will abide by this measure and biological monitor(s) will verify.		
4	This Corps permit does not authorize you to take any threatened or endangered species, in particular the California red-legged frog (<i>Rana draytonii</i>), least Bell's vireo (<i>Vireo bellii pusillus</i>), southwestern willow flycatcher (<i>Empidonax traillii extimus</i>), and South-Central California Coast steelhead DPS (<i>Oncorhynchus mykiss</i>) or adversely modify its designated critical habitat. In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g. ESA Section 10 permit, or a Biological Opinion (BO) under ESA Section 7, with "incidental take" provisions with which you must comply). The enclosed FWS and NMFS, BOs [08EVEN00-2017-F-0404 and WCR-2017-7596, respectfully] contain mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" specified in the BOs. Your authorization under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated with incidental take of the attached BO's, the terms and conditions of which are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the BO's, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. The FWS, NMFS, and Caltrans are the appropriate authority to determine compliance with the terms and conditions of its BOs and with the ESA.	CWA Section 404 Permit Special Condition 6	<u>Pre-Construction</u> : The City and their contractor will abide by this measure and biological monitor(s) will verify.		
5	Prior to construction, the City of Arroyo Grande Public Works Department will retain a qualified biological monitor(s) to monitor construction and ensure compliance with the avoidance and minimization efforts outlined within all the project environmental documents. At a minimum, monitoring will occur during initial ground disturbance activities and vegetation removal within the Arroyo Grande Creek corridor. Monitoring may be reduced to part time once initial disturbance and vegetation removal activities are complete. The duration of monitoring should be at least once per week throughout the remaining construction phases, unless specified otherwise by permitting agencies.	BA, NES, IS/MND BIO/mm-2	<u>Pre-Construction</u> : City will retain biological monitor(s) prior to initiation of project construction. <u>Construction</u> : Biological monitor(s) will monitor construction and ensure compliance with the avoidance and minimization efforts		
6	Prior to construction, all construction personnel will participate in an environmental awareness training program conducted by a qualified biologist. At a minimum, the program shall include: descriptions of the special-status species that have potential to occur in the project area; their habitat requirements and life histories as they relate to the project; the avoidance, minimization, and mitigation measures that will be implemented to avoid impacts to the species and their habitats; the regulatory agencies and regulations	BA, NES, IS/MND BIO/mm-3	<u>Pre-Construction</u> : City approved biologist(s) will conduct general training and contractor will not begin work until all work personnel are trained. Additional work personnel added to project at later dates must participate in environmental training before beginning work.		

	that manage their protection; and consequences that may result from unauthorized impacts or take of special-status species and their habitats. Subsequent trainings shall be provided as needed for additional construction workers through the duration of construction activities. Subsequent trainings shall include, at minimum, a review of the training materials (i.e., a PowerPoint presentation or handouts prepared by the qualified biologist) and a signed acknowledgement that the construction worker has reviewed and understands the training materials. The training materials shall identify an on-site primary point of contact for all questions related to the environmental awareness training and actions required under the training program and shall include contact information for that primary on-site contact.				
7	All personnel who engage in construction activities or their oversight at the project site (superintendent, construction manager, foreman, crew, contractor, biological monitor, etc.) must attend trainings on the conditions of this Certification and how to perform their duties in compliance with those conditions. Every person shall attend an initial training within five working days of their start date at the project site and follow-up trainings every six months until the project is completed. Trainings shall be conducted by a qualified individual with expertise in 401 Water Quality Certification conditions and compliance.	CWA Section 401 WQC Project Requirement 1	<u>Pre-Construction:</u> City approved biologist(s) will conduct general training and contractor will not begin work until all work personnel are trained. Additional work personnel added to project at later dates must participate in environmental training before beginning work.		
8	Prior to initiation of stream diversion/dewatering, the environmental training program will include a description of steelhead, steelhead critical habitat, its legal/protected status, proximity to the project site, avoidance/minimization measures to be implemented during the project, and the implications of violating Endangered Species Act and permit conditions.	BA, NES	<u>Pre-Construction:</u> Qualified biologist(s) will conduct steelhead training and contractor will not begin work until all work personnel are trained. Additional work personnel added to project at later dates must participate in environmental training before beginning work.		
9	Before any activities begin on a project, a Service-approved biologist will conduct a training session for all construction personnel. At a minimum, the training will include a description of the California red-legged frog and its habitat, the specific measures that are being implemented to conserve the California red-legged frog for the current project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.	BA, NES, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog	<u>Pre-Construction:</u> USFWS-approved biologist(s) will conduct California red-legged frog training and contractor will not begin work until all work personnel are trained. Additional work personnel added to project at later dates must participate in environmental training before beginning work.		
10	Prior to initiation of any construction activities, including vegetation clearing or grubbing, sturdy high-visibility fencing will be installed to protect the jurisdictional areas adjacent to the designated work areas. This fencing will be placed so that unnecessary adverse effects to the adjacent habitats are avoided. No construction work (including storage of materials) will occur outside of the specified project limits. The fencing will remain in place during the entire construction period, be monitored periodically by a qualified biologist, and be maintained as needed by the contractor.	BA, NES, IS/MND BIO/mm-5	<u>Pre-Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.		
11	Prior to construction, a Storm Water Pollution Prevention Plan will be prepared for the project. Provisions of this plan will be implemented during and after construction as necessary to avoid and minimize erosion and stormwater pollution in and near the work area.	BA, NES, IS/MND BIO/mm-6	<u>Pre-Construction:</u> City will confirm that a SWPPP has been prepared by the contractor for the project and all associated BMPs are implemented.		
12	Prior to construction, the City of Arroyo Grande Public Works Department shall prepare a Hazardous Material Spill Prevention, Control and Countermeasure Plan to minimize the potential for, and effects of, spills of hazardous or toxic substances during construction of the project. The plan shall be submitted for review and approval by the City of Arroyo Grande Public Works Director, and shall include, at minimum, the following: a. A description of storage procedures and construction site maintenance and upkeep practices; b. Identification of a person or persons responsible for monitoring implementation of the plan and spill response; c. Identification of Best Management Practices to be implemented to ensure minimal impacts to the environment occur, including but not limited to the use of containment devices for hazardous materials, training of construction staff regarding safety practices to reduce the chance for spills or accidents, and use of non-toxic substances where feasible; d. A description of proper procedures for containing, diverting, isolating, and cleaning up spills, hazardous substances and/or soils, in a manner that minimizes impacts on surface and groundwater quality and sensitive biological resources; e. A description of the actions required if a spill occurs, including which authorities to contact and proper clean-up procedures; and f. A requirement that all construction personnel participate in an awareness training program conducted by qualified personnel approved by the City of Arroyo Grande Public Works Director. The training must include a description of the Hazardous Materials Spill Prevention, Control and Countermeasure Plan, the plan's requirements for spill prevention, information regarding the importance	BA, NES, IS/MND BIO/mm-7 and HAZ/mm-1	<u>Pre-Construction:</u> City will confirm that a Hazardous Materials Response Plan has been prepared by the contractor for the project and all associated BMPs are implemented during construction.		

	of preventing spills, the appropriate measures to take should a spill occur, and identification of the location of all clean-up materials and equipment.				
13	Prior to construction, the City of Arroyo Grande Public Works Department will prepare a comprehensive Habitat Mitigation and Monitoring Plan that provides for a 1:1 restoration ratio for temporary impacts and a 3:1 enhancement ratio for permanent impacts, unless otherwise directed by regulatory agencies. To the extent feasible, mitigation activities will be implemented within the Biological Study Area and/or the Arroyo Grande Creek riparian corridor and in areas in and adjacent to the Biological Study Area that support exotic species, contain agricultural trash, and have erosion. These areas provide the most optimal mitigation opportunities onsite. Any revegetation will be conducted using only native plant species. The final Habitat Mitigation and Monitoring Plan will identify the specific mitigation sites and it will be implemented immediately following project completion.	BA, NES, IS/MND BIO/mm-12		<u>Pre-Construction:</u> HMMP will be prepared by the City and implemented prior to construction activities.	
14	Prior to construction, project plans will clearly identify the type of species, location, and methodology of removal and disposal of invasive exotic species found within the project site. Removal and disposal of invasive exotic plants and wildlife must be in accordance with state law and/or project authorizations from resource agencies (e.g., USFWS Programmatic Biological Opinion). In particular, for those invasive exotic plant species that are particularly difficult to remove (e.g., jubata grass [<i>Cortaderia jubata</i>]), a combination of cutting and application of herbicide would likely be required, and thus require a request for an amendment to the standard conditions of the USFWS Programmatic Biological Opinion. In addition, removal of crayfish or bullfrog must be conducted lawfully using methodologies outlined in the California Fish and Game Code.	NES, IS/MND BIO/mm-14, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog		<u>Pre-Construction:</u> City will ensure project plans show location of invasive exotic species, and removal and disposal methodology. Caltrans will coordinate with USFWS if amendment to Programmatic Biological Opinion for California red-legged frog is necessary for the use of herbicides. Qualified biologist(s) must conduct crayfish or bullfrog removal in compliance with California Fish and Game Code.	
15	Only United States Fish and Wildlife Service (Service)-approved biologists will participate in activities associated with the capture, handling, and monitoring of California red-legged frogs. Biologists authorized under the Programmatic Biological Opinion do not need to re-submit their qualifications for subsequent projects conducted pursuant to the Programmatic Biological Opinion, unless the Service has revoked their approval at any time during the life of the Programmatic Biological Opinion.	BA, NES, IS/MND BIO/mm-19, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog		<u>Pre-Construction and During Construction:</u> Only USFWS-approved biologist(s) will capture, handle, and monitor for California red-legged frogs.	
16	Ground disturbance will not begin until written approval is received from the Service that the biologist(s) is qualified to conduct the work. The California Department of Transportation (Caltrans) will request approval of the biologist(s) from the Service.	BA, NES, IS/MND BIO/mm-20, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog		<u>Pre-Construction:</u> Caltrans will coordinate with USFWS for biologist approvals. Contractor will abide by USFWS-approved biologist(s).	
17	A Service-approved biologist will survey the project area no more than 48 hours before the onset of work activities. If any life stage of the California red-legged frog is found and these individuals are likely to be killed or injured by work activities, the approved biologist will be allowed sufficient time to move them from the site before work activities begin. The Service-approved biologist will relocate the California red-legged frogs the shortest distance possible to a location that contains suitable habitat and will not be affected by the activities associated with the project. The relocation site should be in the same drainage to the extent practicable. Caltrans will coordinate with the Service on the relocation site prior to the capture of any California red-legged frogs.	BA, NES, IS/MND BIO/mm-21, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog		<u>Pre-Construction:</u> Caltrans will coordinate with USFWS regarding approval for California red-legged frog relocation site. USFWS-approved biologist(s) shall survey the project area and relocate California red-legged frogs to approved relocation site.	
18	Prior to construction, a biologist determined qualified by the California Department of Transportation and California Department of Fish and Wildlife shall survey the BSA and, if present, capture and relocate any western pond turtles to suitable habitat upstream of the BSA. Observations of these or other special-status species shall be documented on California Natural Diversity Database forms and submitted to the California Department of Fish and Wildlife upon project completion. If western pond turtle or other special concern aquatic species are observed during construction, they will likewise be relocated to suitable upstream habitat by a qualified biologist.	NES, BIO/mm-36		<u>Pre-Construction:</u> Caltrans and CDFW will approve biologist(s) responsible for capture and relocation of western pond turtle and other special-status species.	
19	Prior to construction, when feasible, tree removal will be scheduled to occur from September 16 through February 14, outside of the typical nesting bird season, to avoid potential adverse effects to nesting birds.	BA, NES, BIO/mm-37		<u>Pre-Construction:</u> Contractor will abide by dates for tree removal, when feasible.	
20	If construction activities are proposed during the typical nesting season (February 15 to September 15), a nesting bird survey will be conducted by qualified biologists no more than 2 weeks prior to the start of construction to determine presence/absence of nesting birds within the Biological Study Area and immediate vicinity. The California Department of Transportation will be notified if federally listed nesting bird species are observed during the surveys and will facilitate coordination with the United States Fish and Wildlife Service, if necessary, to determine an appropriate avoidance strategy. Likewise, coordination with California Department of Fish and Wildlife will be facilitated by the City of Arroyo Grande Public Works Department if necessary to devise a suitable avoidance plan for state listed nesting bird species. If raptor nests are observed within the Biological Study Area during the pre-construction nesting bird surveys, the nest(s) shall be designated an Environmental Sensitive Area and protected by a minimum 500-foot avoidance buffer until the breeding season ends or until a qualified	BA, NES, BIO/mm-38		<u>Pre-Construction:</u> Qualified biologist(s) will conduct nesting bird survey during typical nesting season (February 15 to September 15) no more than 2 weeks prior to construction. If nesting birds are observed, the qualified biologist(s) will contact Caltrans for federal coordination. The City will coordinate with California Department of Fish and Wildlife. The qualified biologist(s) will implement avoidance buffers around nests as necessary.	

	biologist determines that all young have fledged and are no longer reliant upon the nest or parental care for survival. Similarly, if active passerine nests are observed within the Biological Study Area during the pre-construction nesting bird surveys, the nest(s) shall be designated an Environmentally Sensitive Area and protected by a minimum 250-foot avoidance buffer until the breeding season ends or until a qualified biologist determines that all young have fledged and are no longer reliant upon the nest or parental care for survival. Resource agencies may consider proposed variances from these buffers if there is a compelling biological or ecological reason to do so, such as protection of a nest via concealment due to site topography.				
21	Prior to construction, a visual survey will be conducted by a qualified biologist, at dawn and at dusk, to identify potential roosting bat activity. This survey shall be conducted between two to four weeks prior to bridge and/or tree removal activities that are proposed to occur. If roosting bat activity is identified during the pre-construction survey process, the City of Arroyo Grande will coordinate with the California Department of Fish and Wildlife regarding the biological significance of the bat population and appropriate measures that could be used to exclude bats from roosting under the bridge. Measures may include, but are not limited to the installation of exclusionary devices by a qualified individual.	NES, BIO/mm-39	<u>Pre-Construction:</u> Qualified biologist(s) will perform survey for bat roosts. City will coordinate with CDFW if bat roosts are observed to determine appropriate measures. If exclusionary device is needed, qualified individual(s) will install exclusion in coordination with biologist(s), City, Caltrans, and CDFW..		
22	If it is determined that a substantial impact to individual bat species or a maternity roost will occur, then the City of Arroyo Grande will compensate for the impact through the development and implementation of a mitigation plan in coordination with California Department of Fish and Wildlife.	NES, BIO/mm-40	<u>Pre-Construction:</u> If necessary, the City will develop bat mitigation plan in coordination with CDFW.		
23	Prior to construction, a pre-construction survey shall be conducted to ensure special-status plant species are not present within the BSA. If Gambel's watercress or marsh sandwort are found within the BSA, all work will be stopped immediately and the United States Fish and Wildlife Service will be notified and work will not commence until consultation is completed.	NES	<u>Pre-Construction:</u> Qualified biologist(s) will conduct survey for special-status plant species and will have authority to stop work and notify USFWS if the federally listed Gambel's watercress or marsh sandwort are observed.		
24	A Soil Management Plan and Health and Safety Plan shall be developed for the project and subject to approval by the City of Arroyo Grande Public Works Department to ensure contaminated soils excavated during the project construction are handled, stockpiled, and disposed of in accordance with federal, state, and local regulations. Soils excavated during the project shall be tested for lead concentrations and the Soil Management Plan shall establish a Reuse Screening Level for the excavated soils; excavated soils with contaminant concentrations below the Reuse Screening Levels may be reused during construction on the right-of-way, while soils with contaminant concentrations exceeding the Reuse Screening Levels shall be managed as hazardous waste and disposed of at a facility that accepts soil with the detected concentrations of contaminants. Special handling, treatment, or disposal of aerially deposited lead in soils during construction activities shall be consistent with the California Department of Toxic Substances Control Lead Variance (No. V09HQSCD006) dated July 1, 2009.	IS/MND HAZ/mm-2	<u>Pre-Construction:</u> City will confirm that a Soil Management Plan and Health and Safety Plan have been prepared by the contractor for the project and all associated BMPs are implemented during construction.		
25	Prior to initiation of construction, a Lead Compliance Plan shall be prepared by the contractor to prevent or minimize worker exposure to lead from handling material containing lead based paint or aerially-deposited lead (California Code of Regulations, Title 8, Section 1532.1). This plan shall also be required for work performed on painted structures. The contractor shall prepare a written, project-specific Excavation and Transportation Plan establishing procedures the contractor shall use for excavating, stockpiling, transporting, and placing (or disposing) of material containing lead-based paint or aerially-deposited lead. The plan must conform to Department of Toxic Substance Control and California Occupational Safety and Health Administration regulations. For samples where lead levels exceed hazardous waste criteria, the excavated soil shall be either managed or disposed of as a California hazardous waste or stockpiled and resampled to confirm waste classification and potential utilization of Caltrans' hazardous waste variance agreement to recycle soil on site. The appropriate Caltrans Standard Special Provision shall be included in the Plans, Specifications, and Estimate.	IS/MND HAZ/mm-3	<u>Pre-Construction:</u> City will confirm that a Lead Compliance Plan has been prepared by the contractor for the project and all associated BMPs are implemented during construction.		
26	Streambed Alteration Agreement - Submit a signed copy of the Department of Fish and Wildlife's streambed alteration agreement to the Central Coast Water Board immediately upon execution and prior to any discharge to waters of the State.	CWA Section 401 WQC Monitoring and Reporting Requirement 1 (Reporting)	<u>Pre-Construction:</u> City will submit copy of the CDFW Section 1602 Streambed Alteration Agreement to the RWQCB.		
27	Construction Commencement Notification - At least seven days in advance of any ground disturbing or grubbing activities, submit notification to the Central Coast Water Board of the date when project construction will begin.	CWA Section 401 WQC Monitoring and Reporting Requirement 2 (Reporting)	<u>Pre-Construction:</u> City will notify the RWQCB.		

CONSTRUCTION					
28	<p>Prior to issuance of construction permits, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:</p> <p>Construction Equipment</p> <ul style="list-style-type: none"> a. Maintain all construction equipment in proper tune according to manufacturer's specifications; b. Fuel all off-road and portable diesel powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road); c. Use diesel construction equipment meeting the California Air Resources Board's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation; d. Use on-road heavy-duty trucks that meet the California Air Resources Board's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation; e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or oxides of nitrogen exempt area fleets) may be eligible by proving alternative compliance; f. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit; g. Diesel idling shall be avoided to the greatest extent feasible throughout the duration of construction activities. No idling in excess of 5 minutes shall be permitted as described above; h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors whenever possible; i. Electrify equipment when feasible; j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and, k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel. 	IS/MND, AQ/mm-1	The Contractor will implement this measure per the contract prior to issuance of construction permits and during construction activities.		
29	<p>Upon application for construction permits, all required PM10 measures shall be shown on applicable grading or construction plans, and made applicable during grading and construction activities as described below.</p> <ul style="list-style-type: none"> a. Reduce the amount of the disturbed area where possible; b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible; c. All dirt stock pile areas should be sprayed daily or covered with tarps or other dust barriers, as needed; d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil-disturbing activities; e. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established; f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District; g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used; h. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site; i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114; 	IS/MND, AQ/mm-2	The Contractor will implement this measure per the contract prior to issuance of construction permits and during construction activities.		

	<p>j. Install wheel washers or other devices to control tracking of mud and dirt onto adjacent roadways where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;</p> <p>k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;</p> <p>l. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the San Luis Obispo County Air Pollution Control District Engineering & Compliance Division prior to the start of any grading, earthwork, or demolition.</p>				
30	In-stream work will take place between June 15 and October 31 in any given year, when the surface water within Arroyo Grande Creek is likely to be at seasonal minimum. Deviations from this work window will only be made with permission from the relevant regulatory agencies. During in-stream work, a qualified biologist that is approved by the National Oceanic and Atmospheric Administration National Marine Fisheries Service and has experience in steelhead biology and ecology, aquatic habitats, biological monitoring (including diversion/dewatering), and capturing, handling, and relocating fish species will be retained. During in-stream work, the biological monitor(s) will continuously monitor placement and removal of any required stream diversions and will capture stranded steelhead and other native fish species and relocate them to suitable habitat, as appropriate. The approved biologist(s) will capture steelhead stranded as a result of diversion/dewatering and relocate steelhead to the nearest suitable in-stream habitat. The approved biologist(s) will note the number of steelhead observed in the affected area, the number of steelhead relocated, and the date and time of the collection and relocation.	NES, BA, IS/MND BIO/mm-4 and BIO/mm-17	<u>Construction:</u> Contractor will abide by this measure. A NMFS-approved biologist(s) will be responsible for steelhead relocation and monitoring placement and removal of stream diversions/dewatering.		
31	During construction, erosion control measures (e.g., silt fencing, fiber rolls, barriers) will remain available on-site and will be utilized as necessary to prevent erosion and sedimentation in jurisdictional areas. No synthetic plastic mesh products will be used for erosion control and use of these materials on-site is prohibited. Erosion control measures and other suitable Best Management Practices used will be checked to ensure that they are intact and functioning effectively and maintained on a daily basis throughout the duration of construction. The contractor will also apply adequate dust control techniques, such as site watering, during construction to protect water quality.	BA, NES, IS/MND BIO/mm-8	<u>Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.		
32	Erosion and sediment control measures shall be on site prior to the start of construction and kept on site at all times so they are immediately available for installation in anticipation of rain events. The Applicant shall implement and maintain an effective combination of erosion and sediment control measures (e.g., revegetation, fiber rolls, erosion control blankets, hydromulching, compost, straw with tackifiers, temporary basins) to prevent erosion and capture sediment. The Applicant shall implement and maintain washout, trackout, dust control, and any other applicable source control BMPs. Erosion and sediment control measures and other construction BMPs shall be implemented and maintained in accordance with all specifications governing their proper design, installation, operation, and maintenance.	CWA Section 401 WQC Project Requirements 6 to 8	<u>Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.		
33	At any time of year, the [City] shall not conduct construction activities below top of creek banks or in other waters of the State during rain events or on any day for which the National Weather Service has predicted a 25% or more chance of at least 0.1 inch rain in 24 hours (Predicted Rain Event). The Applicant shall install effective erosion control, sediment control, and other protective measures no later than the day prior to the Predicted Rain Event, and prior to the start of any rainfall. Construction activities below top of creek banks or in other waters of the State may resume after the rain has ceased, the National Weather Service predicts clear weather for at least 24 hours, and site conditions are dry enough to continue work without discharge of sediment or other pollutants from the project site.	CWA Section 401 WQC Project Requirement 9	<u>Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.		
34	Any material stockpiled that is not actively being used during construction shall be covered and surrounded with a linear sediment barrier.	CWA Section 401 WQC Project Requirement 10	<u>Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.		
35	The [City] shall retain a spill plan and appropriate spill control and clean up materials (e.g., oil absorbent pads) onsite in case spills occur.	CWA Section 401 WQC Project Requirement 11	<u>Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.		
36	During construction, trash will be contained, removed from the work site, and disposed of regularly. Following construction, trash and construction debris will be removed from the work areas. Vegetation removed from the construction site will be taken to a permitted landfill to prevent the spread of invasive species. If soil from weedy areas (such as areas with poison hemlock or other invasive exotic plant	BA, NES, IS/MND BIO/mm-10 and BIO/mm-23, CWA Section 401 WQC Project Requirement 12	<u>Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.		

	species) must be removed offsite, the top 6 inches (152 millimeters) containing the seed layer in areas with weedy species will be disposed of at a permitted landfill.				
37	All construction vehicles and equipment used on site shall be well maintained and checked daily for fuel, oil, and hydraulic fluid leaks or other problems that could result in spills of toxic materials. The [City] shall designate a staging area for equipment and vehicle fueling and storage at least 100 feet away from waterways, in a location where fluids or accidental discharges cannot flow into waterways. All vehicle fueling and maintenance activity shall occur at least 100 feet away from waterways and in designated staging areas, unless a requested exception on a case-by case basis granted by prior written approval has been obtained from Central Coast Water Board staff.	CWA Section 401 WQC Project Requirements 13 to 15	Construction: Contractor will abide by this measure and biological monitor(s) will verify.		
38	All refueling, maintenance, and staging of equipment and vehicles will occur at least 100 feet from riparian habitat or water bodies and in a location from where a spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water). The monitor will ensure contamination of habitat does not occur during such operations. Prior to the onset of work, Caltrans and the City will ensure that a plan is in place for prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.	BA, NES, IS/MND BIO/mm-9 and BIO/mm-24	Construction: Contractor will abide by this measure and biological monitor(s) will verify.		
39	Dewatering and stream diversion measures are not authorized based on the [401 WQC] application. If the project requires dewatering or diversion, the [City] shall submit detailed dewatering/ diversion plans for Central Coast Water Board staff approval at least 21 days prior to any dewatering or diversion. Dewatering/diversion plans shall include the area to be dewatered, timing of dewatering, and method of dewatering to be implemented. All temporary dewatering/diversion methods shall be designed to have the minimum necessary impacts to waters of the State to isolate the immediate work area. All dewatering/diversion methods shall be installed such that natural flow is maintained upstream and downstream of the project area. Any temporary dams or diversions shall be installed such that the diversion does not cause sedimentation, siltation, or erosion upstream or downstream of the project area. All dewatering/diversion methods shall be removed immediately upon completion of dewatering/diversion activities. Dewatering or diversion shall not commence until applicant has obtained Central Coast Water Board staff approval of the dewatering/diversion plans. Any dewatering/diversion must be implemented in compliance with approved dewatering/diversion plans.	CWA Section 401 WQC Project Requirement 16	Construction: City and contractor will coordinate with RWQCB regarding the need for dewatering/stream diversion.		
40	During construction, no pets will be allowed on the construction site.	BA, NES, IS/MND BIO/mm-11	Construction: Contractor will abide by this measure and biological monitor(s) will verify.		
41	During construction, the project will make all reasonable efforts to limit the use of imported soils for fill. Soils currently existing onsite should be used for fill material. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species, or the material must consist of purchased clean material such as crushed aggregate, sorted rock, or similar. To avoid the spread of invasive species, the contractor shall: a. Stockpile topsoil and redeposit the stockpiled soil onsite at a sufficient depth to preclude germination or spread of those species after construction is complete; or, b. Transport the topsoil to a permitted landfill for disposal.	NES, IS/MND BIO/mm-13	Construction: Contractor will abide by this measure and Resident Engineer(s) will verify.		
42	During construction, the biological monitor(s) will ensure that the spread or introduction of invasive exotic plant and wildlife species is avoided to the maximum extent possible.	NES, IS/MND BIO/mm-15	Construction: Contractor will abide by this measure and biological monitor(s) will verify.		
43	All erosion control materials including straw bales, straw wattles, or mulch used onsite must be free of invasive species seed.	NES, IS/MND BIO/mm-16	Construction: Contractor will abide by this measure and biological monitor(s) will verify.		
44	During in-stream work, if pumps are incorporated to assist in temporarily dewatering the site, intakes will be completely screened with no larger than 0.2-inch (five-millimeter) wire mesh to prevent steelhead and other sensitive aquatic species from entering the pump system. Pumps will release the diverted water so that suspended sediment will not re-enter the stream. The form and function of pumps used during the dewatering activities will be checked daily, at a minimum, by a qualified biological monitor to ensure a dry work environment and minimize adverse effects to aquatic species and habitats.	BA, NES, IS/MND BIO/mm-18	Construction: Contractor will abide by this measure and biological monitor(s) will verify. Qualified biologist(s) will monitor dewatering activities daily.		
45	A Service-approved biologist will be present at the work site until California red-legged frogs have been relocated out of harm's way, workers have been instructed, and disturbance of the habitat has been completed. After this time, the City of Arroyo Grande Public Works Department (City) will designate a person to monitor onsite compliance with minimization measures. The Service-approved biologist will ensure that this monitor receives the environmental training outlined above and in the identification of California red-legged frogs. If the monitor or the Service-approved biologist recommends that work be stopped because California red-legged frogs would be affected in a manner not anticipated by Caltrans, the City, and the Service during the review of the proposed action, they will notify the resident engineer	BA, NES, IS/MND BIO/mm-22, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog	Construction: USFWS-approved biologist(s) will supervise red-legged frog relocation activities and City designated person will ensure compliance with minimization measures.		

	(the engineer that is directly overseeing and in command of construction activities) immediately. The resident engineer will either resolve the situation by eliminating the adverse effect immediately or require that all actions that are causing these effects be halted. If work is stopped, Caltrans, the City, and the Service will be notified as soon as possible.			
46	The number of access routes, size of staging areas, and the total area of activity will be limited to the minimum necessary to achieve the project goals. Environmentally Sensitive Areas will be delineated to confine access routes and construction areas to the minimum area necessary to complete construction, and minimize the impact to California red-legged frog habitat; this goal includes locating access routes and construction areas outside of wetlands and riparian areas to the maximum extent practicable.	BA, NES, IS/MND BIO/mm-26, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog	<u>Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.	
47	The City and Caltrans will attempt to schedule work for times of the year when impacts to the California red-legged frog would be minimal. For example, work that would affect large pools that may support breeding would be avoided, to the maximum degree practicable, during the breeding season (November through May). Isolated pools that are important to maintain California red-legged frogs through the driest portions of the year would be avoided, to the maximum degree practicable, during the late summer and early fall. Habitat assessments, surveys, and coordination between Caltrans and the Service during project planning will be used to assist in scheduling work activities to avoid sensitive habitats during key times of year.	BA, NES, IS/MND BIO/mm-27, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog	<u>Construction:</u> Contractor will abide by City and Caltrans proposed work schedule.	
48	To control sedimentation during and after project implementation, Caltrans and the City will implement Best Management Practices outlined in any authorizations or permits issued under the authorities of the Clean Water Act that it receives for the specific project. If Best Management Practices are ineffective, Caltrans will attempt to remedy the situation immediately, in coordination with the Service.	BA, NES, IS/MND BIO/mm-28, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog	<u>Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.	
49	Caltrans' [and the City's] biologist shall identify and evaluate the suitability of downstream and/or upstream steelhead relocation habitat(s) prior to undertaking the dewatering activities that are required to isolate the work area from flowing water. The biologist shall evaluate potential relocation sites based on attributes such as adequate water quality (a minimum dissolved oxygen level of 5 mg/L and suitable water temperature), cover (instream and over-hanging vegetation or woody debris), and living space. Multiple relocation habitats may be necessary to prevent overcrowding of a single habitat depending on the number of steelhead captured, current number of steelhead already occupying the relocation habitat(s), and the size of the receiving habitat(s).	NOAA Fisheries Biological Opinion for Steelhead	<u>Construction:</u> Qualified biologist(s) will ensure compliance with this measure	
50	Caltrans' [and the City's] biologist shall contact NMFS (Jay Ogawa, 562-980-4061) immediately if one or more steelhead are found dead or injured. The purpose of the contact shall be to review the activities resulting in take and to determine if additional protective measures are required. All steelhead mortalities shall be retained, frozen as soon as practical, and placed in an appropriate-sized sealable bag that is labeled with the date and location of the collection and fork length and weight of the specimen(s). Frozen samples shall be retained by the biologist until additional instructions are provided by NMFS. Subsequent notification must also be	NOAA Fisheries Biological Opinion for Steelhead	<u>Construction:</u> Qualified biologist(s) will ensure compliance with this measure	
51	If a work site is to be temporarily dewatered by pumping, intakes will be completely screened with wire mesh not larger than 0.2 inch to prevent California red-legged frogs from entering the pump system. Water will be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any diversions or barriers to flow will be removed in a manner that would allow flow to resume with the least disturbance to the substrate. Alteration of the streambed will be minimized to the maximum extent possible; any imported material will be removed from the streambed upon completion of the project.	BA, NES, IS/MND BIO/mm-29, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog	<u>Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.	
52	Unless approved by the Service, water will not be impounded in a manner that may attract California red-legged frogs.	BA, NES, IS/MND BIO/mm-30, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog	<u>Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.	
53	A Service-approved biologist will permanently remove any individuals of non-native species, such as bullfrogs, signal and red swamp crayfish, and centrarchid fishes from the project area, to the maximum extent possible. The Service-approved biologist will be responsible for ensuring their activities are in compliance with the California Fish and Game Code.	BA, NES, IS/MND BIO/mm-31, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog	<u>Construction:</u> USFWS-approved biologist(s) will ensure compliance with this measure	
54	If Caltrans and the City demonstrate that disturbed areas have been restored to conditions that allow them to function as habitat for the California red-legged frog, these areas will not be included in the amount of total habitat permanently disturbed.	BA, NES, IS/MND BIO/mm-32, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog	<u>Construction:</u> Caltrans and the City will convey this to USFWS in coordination with the biological monitor(s).	
55	To ensure that diseases are not conveyed between work sites by the Service-approved biologist, the fieldwork code of practice developed by the Declining Amphibian Task Force will be followed at all times.	BA, NES, IS/MND BIO/mm-33, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog	<u>Construction:</u> USFWS-approved biologist will ensure compliance with this measure.	

56	<p>The City and Caltrans will not use herbicides as the primary method used to control invasive, exotic plants. However, if the City and Caltrans determine the use of herbicides is the only feasible method for controlling invasive plants at a specific project site, it will implement the following additional measures to protect California red-legged frog:</p> <p>a. The City and Caltrans will not use herbicides during the breeding season for California red-legged frog.</p> <p>b. The City and Caltrans will conduct surveys for California red-legged frog immediately prior to the start of herbicide use. If found, California red-legged frog will be relocated to suitable habitat far enough from the project area that no direct contact with herbicide would occur.</p> <p>c. Giant reed and other invasive plants will be cut and hauled out by hand and painted with glyphosate-based products, such as Aquamaster® or Rodeo®.</p> <p>d. Licensed and experienced Caltrans staff or a licensed and experienced contractor will use a hand-held sprayer for foliar application of Aquamaster® or Rodeo® where large monoculture stands occur at an individual project site.</p> <p>e. All precautions will be taken to ensure that no herbicide is applied to native vegetation.</p> <p>f. Foliar applications of herbicide will not occur when wind speeds are in excess of 3 miles per hour.</p> <p>g. No herbicides will be applied within 24 hours of forecasted rain.</p> <p>h. Application of herbicides will be done by qualified Caltrans staff, City staff, or contractors to ensure that overspray is minimized, that application is made in accordance with the label recommendations, and that required and reasonable safety measures are implemented. A safe dye will be added to the mixture to visually denote treated sites. Application of herbicides will be consistent with the United States Environmental Protection Agency's Office of Pesticide Programs Endangered Species Protection Program county bulletins.</p> <p>i. All herbicides, fuels, lubricants, and equipment will be stored, poured, or refilled at least 60 feet from riparian habitat or water bodies in a location where a spill would not drain directly toward aquatic habitat. Caltrans and the City will ensure that contamination of habitat does not occur during such operations. Prior to onset of work, Caltrans and the City will ensure that a plan is in place for a prompt and effective response to accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.</p>	BA, NES, IS/MND BIO/mm-35, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog	<u>Construction:</u> Caltrans and the City will decide if herbicides will need to be used. If so, the listed measures will be implemented by the contractor performing the application of herbicides.		
57	<p>If a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease until a qualified archaeologist determines whether the uncovered resource requires further study. A standard inadvertent discovery clause shall be included in every grading and construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified archaeologist. Potentially significant cultural resources consist of, but are not limited to, stone, bone, glass, ceramic, wood, or shell artifacts; fossils; or features including hearths, structural remains, or historic dumpsites.</p> <p>If the resource is determined significant under the California Environmental Quality Act, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan that will capture those categories of data for which the site is significant. The archaeologist shall also perform appropriate technical analysis, prepare a comprehensive report, and file it with the appropriate Information Center and provide for the permanent curation of the recovered materials.</p>	IS/MND CUL/mm-1	<u>Construction:</u> City to provide qualified archaeologist for compliance if necessary.		
58	<p>Pursuant to 36 C.F.R. section 800.13, in the event of any discoveries during construction of either human remains, archeological deposits, or any other type of historic property, the Permittee shall notify the Corps' Regulatory Staff (Jerry Hidalgo at 805-585-2145) AND Archeology Staff within 24 hours (Danielle Storey at 213-452-3855 OR Meg McDonald at 213-452-3849). The Permittee shall immediately suspend all work within 100 feet of any area(s) where potential cultural resources are discovered. The Permittee shall not resume construction in the area surrounding the potential cultural resources until the Corps Regulatory Division re-authorizes project construction, per 36 C.F.R. section 800.13.</p>	CWA Section 404 Permit Special Condition 5	<u>Construction:</u> City to provide qualified archaeologist for compliance if necessary and notify USACE if necessary.		
59	<p>Conventional demolition techniques for painted surfaces and treated wood members shall comply with Occupational Safety and Health Administration and California Occupational Safety and Health Administration statutes regarding worker awareness training, exposure monitoring, and medical examinations, and should include a written respiratory protection program. Dust control procedures shall be implemented in compliance with California Code of Regulations, Title 8, Section 1532.1, during</p>	IS/MND HAZ/mm-4	<u>Construction:</u> Contractor will abide by this measure.		

	abatement, demolition, and/or renovation of the bridge. Pulverization and/or activities that may result in the generation of fine dust and particulates shall be prohibited at the project site.				
60	Materials that are excavated or water that accumulates within an excavation during construction activities should not be discarded to the ground surface, watershed, or waterway. Accumulated or excavated materials should be segregated, placed on and covered by plastic sheeting, and characterized to aid in evaluating and documenting contractor-proposed handling, re-use, or disposal. Contractor proposed handling, re-use, or disposal of waste materials should be conducted in accordance with local material management jurisdictions and/or receiving facility criteria.	IS/MND HAZ/mm-5	<u>Construction:</u> Contractor will abide by this measure.		
61	Construction activities shall be limited to the daytime hours of 7:00 a.m. to 10:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday or Sunday, consistent with City of Arroyo Grande construction noise exception standards.	IS/MND NOI/mm-1	<u>Construction:</u> Contractor will abide by this measure.		
62	All equipment will have sound-control devices that are no less effective than those provided on the original equipment. No equipment will have an unmuffled exhaust.	IS/MND NOI/mm-2	<u>Construction:</u> Contractor will abide by this measure.		
63	Construction activities shall be scheduled and conducted to minimize closure of Kiwanis Park to the greatest extent possible. Kiwanis Park will only be closed when necessary for contractor access, and will remain open to the public through the duration of construction activities. All park recreational features affected by construction, such as picnic benches, will be relocated or replaced outside of the construction limits; these features will be available for use in adjacent areas during the duration of construction activities. Access to the park will be temporarily relocated from the west to the east side of the park during any closure. The City of Arroyo Grande Public Works Department will designate several parking places for park use and avoid construction activities that would impact access to these spaces. A detour along Traffic Way will be signed throughout the duration of construction activities to allow bicyclists continued access to their desired destination.	IS/MND REC/mm-1	<u>Construction:</u> City will coordinate for this measure.		
64	Prior to any road closures, the City of Arroyo Grande shall provide notice to all residents, business owners, and public facilities within 500 feet of the proposed project. The notice shall include the following information: dates of construction, temporary road closures and detours, removal of parking spaces, and contact information including the phone and email address of the City staff person responsible for responding to and addressing public complaints regarding noise, air emissions, and any other issues. The notice shall be provided at least 2 weeks prior to any planned road closure. In addition, the notice shall be posted on the City's website and Facebook page.	IS/MND TT/mm-1	<u>Construction:</u> City will coordinate for this measure.		
65	All work performed within waters of the State shall be completed in a manner that minimizes impacts to beneficial uses and habitat. Measures shall be employed to minimize land disturbances that will adversely impact the water quality of waters of the State. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete Project implementation.	CWA Section 401 WQC Project Requirement 2	<u>Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.		
66	Portions of the project that occur below top of creek banks or in other waters of the State shall be stabilized for the winter prior to October 1 of each year, either by completing construction of those portions of the project (including installation of permanent erosion control measures) or by implementing winterization stabilization measures capable of effectively stabilizing the area and preventing erosion under winter rain and flow conditions generated by the 10-year 24-hour storm event. No construction activities shall be conducted below top of creek banks or in other waters of the State during the winter period (October 31 – May 30), unless prior written approval has been obtained from Central Coast Water Board staff. Requests to conduct construction activities below top of creek banks or in other waters of the State during the winter period shall be submitted to Central Coast Water Board staff at least 21 days prior to the planned winter period work date. If approval is obtained, the Applicant shall implement the approved winter work as specified in the Central Coast Water Board staff approval and as described in any documentation submitted by the Applicant while seeking the approval.	CWA Section 401 WQC Project Requirement 3	<u>Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify. City will coordinate extensions if necessary.		
67	Any hydroseed bonding matrix or mulch applied by the Applicant shall not contain petroleum-based products such as shredded plastic or plastic fibers.	CWA Section 401 WQC Project Requirement 4	<u>Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.		
68	Annual Project Status Report – The Applicant shall submit to the Central Coast Water Board an Annual Project Status Report by May 31 of each year following the issuance of this Certification, regardless of whether project construction has started or not. The Applicant shall submit Annual Project Status Reports until the Applicant has conducted all required monitoring and mitigation has achieved all success criteria. The final Annual Project Status Report is due on or before the May 31 following the achievement of all mitigation success criteria. Each Annual Project Status Report shall include at a minimum: a. The status of the project: construction not started, construction started, or construction complete. b. The date of construction initiation, if applicable.	CWA Section 401 WQC Monitoring and Reporting Requirement 5 (Reporting)	<u>Construction:</u> City will submit to the Central Coast Water Board an Annual Project Status Report by May 31 of each year following the issuance of the 401 WQC, regardless of whether project construction has started or not..		

	<p>c. The date of construction completion, if applicable.</p> <p>d. If project construction is complete:</p> <ul style="list-style-type: none"> i. A summary of daily activities, monitoring and inspection observations, and problems incurred and actions taken; ii. Identification of when site personnel trainings occurred, description of the topics covered during trainings, and confirmation that every person that engaged in construction activities or their oversight at the project site was trained initially and every six months thereafter. iii. A description of the results of the annual visual inspection of the project site and areas of waters of the State adjacent to project impact areas, including: <ul style="list-style-type: none"> 1. Erosion conditions; 2. Stream stability conditions; 3. Water quality and beneficial use conditions; 4. Clearly identified photo-documentation of all areas of permanent degradation of ecological condition and temporary impact, prior to and after project construction; and 5. Clearly identified representative photo-documentation of other project areas, prior to and after project construction. 6. If the visual inspection monitoring period is over, but water quality problems persist, the Annual Report shall identify corrective measures to be undertaken, including extension of the monitoring period until the project is no longer causing excessive erosion, stream instability, or other water quality problems. <p>e. Mitigation reporting, if mitigation installation has started, including the following information:</p> <ul style="list-style-type: none"> i. Date of initiation of mitigation installation and date mitigation installation was completed; ii. If mitigation installation was completed, confirmation mitigation was installed according to the requirements of this Certification and as described in the application, the Habitat Mitigation and Monitoring Plan for the Bridge Street Bridge Replacement or Rehabilitation revised May 2019, and any other associated submittals; iii. Analysis of monitoring data collected in the field; iv. Quantification of growth, percent cover, survival, general health and stature, signs of reproduction, and documentation of progress toward achieving all mitigation performance criteria; v. Qualitative and quantitative comparisons of current mitigation conditions with preconstruction conditions and previous mitigation monitoring results; vi. Any remedial or maintenance actions taken or needed; vii. Any additional information specified in the Habitat Mitigation and Monitoring Plan for the Bridge Street Bridge Replacement or Rehabilitation revised May 2019; and viii. Annual photo-documentation representative of all mitigation areas, taken from vantage points from which Central Coast Water Board staff can identify changes in size and cover of plants. Compare photos of installed mitigation with photos of the mitigation areas prior to installation. <p>f. A description of mitigation completion status that identifies the amount of mitigation monitoring and maintenance remaining or certifies that mitigation is complete and all required mitigation monitoring and maintenance has been conducted and all success criteria achieved. If the monitoring period is over, but all success criteria have not been achieved, the Annual Report shall identify corrective measures to be undertaken, including extension of the monitoring period until the criteria are met.</p>				
POST-CONSTRUCTION					
69	Habitat contours will be returned to their original configuration at the end of project activities. This measure will be implemented in all areas disturbed by activities associated with the project, unless the Service, Caltrans, and the City determine that it is not feasible or modification of original contours would benefit the California red-legged frog.	BA, NES, IS/MND BIO/mm-25, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog	<u>Post-Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.		
70	Project sites will be revegetated with an assemblage of native riparian, wetland, and upland vegetation suitable for the area. Locally collected plant materials will be used to the extent practicable. Invasive, exotic plants will be controlled to the maximum extent practicable. This measure will be implemented in all areas disturbed by activities with the project, unless the Service, Caltrans, and City have determined that it is not feasible or practical.	BA, NES, IS/MND BIO/mm-34, Caltrans/FHWA Programmatic Biological Opinion for California Red-legged Frog	<u>Construction:</u> Contractor will implement the Habitat Mitigation and Monitoring Plan and biological monitor(s) will verify.		
71	The [City] shall implement compensatory mitigation installation, maintenance, and monitoring as described in the Habitat Mitigation and Monitoring Plan for the Bridge Street Bridge Replacement or Rehabilitation revised May 2019. Survival of planted native trees other than willow trees shall be 85 percent at the end of year five. Percent cover of native vegetation in year five shall be 80 percent in	CWA Section 401 WQC Compensatory Mitigation Requirements 1 to 4	<u>Construction:</u> Contractor will implement the Habitat Mitigation and Monitoring Plan and biological monitor(s) will verify.		

	temporarily impacted areas and 85 percent in permanently impacted areas. Onsite compensatory mitigation shall be installed within 12 months of completion of project construction.				
72	At the conclusion of the project, all temporary fill shall be removed and the area shall be restored to pre-construction conditions (contours and vegetated condition) to the maximum extent practicable. The Permittee shall revegate the disturbed portions of the earthen stream banks with native non-invasive vegetation of facultative upland (FACU) or wetter species, as appropriate, including but not limited to arroyo willow (<i>Salix lasiolepis</i>) cuttings and native riparian hydroseed mix. The Permittee shall ensure the revegetated areas are maintained and monitored for a period of two years after completing the revegetation activities, such that less than 10 percent of the areas disturbed by the project are vegetated by non-native and invasive plant species. Monitoring reports shall be submitted by the Permittee to the Corps, by May 15 th annually, one and two years following revegetation activities, documenting the recovery of the restored areas.	CWA Section 404 Permit Special Condition 3	<u>Post-Construction:</u> The City and their contractor will implement this measure with verification by the biological monitor(s).		
73	Within 45 calendar days of completion of authorized work in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a post-project implementation memorandum including the following information: A) Date(s) work within waters of the U.S. was initiated and completed; B) Summary of compliance status with each special condition of this permit (including any noncompliance that previously occurred or is currently occurring and corrective actions taken or proposed to achieve compliance); C) Color photographs (including map of photopoints) taken at the project site before and after construction for those aspects directly associated with permanent impacts to waters of the U.S. such that the extent of authorized fills can be verified; D) One copy of "as built" drawings for the entire project. Electronic submittal (Adobe PDF format) is preferred. All sheets must be signed, dated, and to-scale. If submitting paper copies, sheets must be no larger than 11 x 17 inches; and E) Signed Certification of Compliance (attached as part of this permit package).	CWA Section 404 Permit Special Condition 4	<u>Post-Construction:</u> The City and biological monitor(s) will document and report information to USACE.		
74	The [City] shall remove all temporary abutments immediately after construction in a manner that does not cause erosion of the stream bed or banks.	CWA Section 404 Permit Special Condition 5	<u>Post-Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.		
75	Caltrans' [and the City's] biologist shall provide a written steelhead-relocation report to NMFS within 30 working days following completion of construction. The report shall include 1) the number and size of all steelhead relocated during the proposed action; 2) the date and time of the collection and relocation; 3) a description of any problem encountered during the project or when implementing terms and conditions; and 4) any effect of the proposed action on steelhead that was not previously considered. The report shall be sent to Jay Ogawa, NMFS, 501 W. Ocean Blvd., Suite 4200, Long Beach, California 90802-4213.	NOAA Fisheries Biological Opinion for Steelhead	<u>Construction:</u> Qualified biologist(s) will ensure compliance with this measure		
76	All construction-related equipment, materials, and any temporary BMPs no longer needed shall be removed and cleared from the site upon completion of the project.	CWA Section 401 WQC Compensatory Mitigation Requirement 17	<u>Post-Construction:</u> Contractor will abide by this measure and biological monitor(s) will verify.		
77	Central Coast Water Board staff shall be notified if mitigations as described in the 401 Water Quality Certification application for this project are altered by the imposition of subsequent permit conditions by any local, state or federal regulatory authority. The [City] shall inform Central Coast Water Board staff of any modifications that interfere with compliance with this Certification.	CWA Section 401 WQC Compensatory Mitigation Requirement 18	<u>Post-Construction:</u> The City and/or the biological monitor(s) will coordinate with RWQCB as necessary.		
78	[The City shall] visually inspect the project site and areas of waters of the State adjacent to project impact areas following completion of project construction and for three subsequent rainy seasons to ensure that the project is not causing excessive erosion, stream instability, or other water quality problems. If the project does cause water quality problems, contact the Central Coast Water Board staff member overseeing the project. You will be responsible for obtaining any additional permits necessary for implementing plans for restoration to prevent further water quality problems.	CWA Section 401 WQC Monitoring and Reporting Requirement 1 (Monitoring)	<u>Post-Construction:</u> The City and/or the biological monitor(s) will coordinate with RWQCB as necessary.		
79	[The City shall] monitor the compensatory mitigation site for five years. If success criteria are not achieved within that time, continue annual monitoring and maintenance until success criteria are achieved. Compensatory mitigation monitoring shall include assessment of survival, percent cover, general health and stature, signs of reproduction, progress towards achieving success criteria, and any other measures identified in the Habitat Mitigation and Monitoring Plan for the Bridge Street Bridge Replacement or Rehabilitation revised May 2019.	CWA Section 401 WQC Monitoring and Reporting Requirement 2 (Monitoring)	<u>Post-Construction:</u> The City and/or the biological monitor(s) will coordinate with RWQCB as necessary.		
80	Discharge, Construction, and Mitigation Installation Completion Notification - Within seven days of completing all project discharge, construction, and mitigation installation activities, submit notification to the Central Coast Water Board of project discharge, construction, and mitigation installation completion.	CWA Section 401 WQC Monitoring and Reporting Requirement 3 (Reporting)	<u>Post-Construction:</u> The City will notify the RWQCB.		

81	Compensatory Mitigation and Monitoring Completion Notification – Within seven days of [City] verification of achievement of all compensatory mitigation success criteria and completion of all monitoring, submit notification to the Central Coast Water Board demonstrating compensatory mitigation success criteria achievement and monitoring completion. Include identification of the date when the final Annual Project Status Report will be submitted. [Note: Submittal of Compensatory Mitigation and Monitoring Completion Notification does not terminate this Certification or its requirements.]	CWA Section 401 WQC Monitoring and Reporting Requirement 4 (Reporting)	<u>Post-Construction:</u> The City will notify the RWQCB.		
82	Caltrans [and the City] shall provide a revegetation report that is to include a description of the locations seeded or planted, the area revegetated, proposed methods to monitor and maintain the revegetated area, criteria used to determine the success of the plantings, and pre- and postplanting color photographs of the revegetated area. The revegetation report shall be sent to Jay Ogawa, NMFS, 501 W. Ocean Blvd., Suite 4200, Long Beach, California 90802-4213, within 30 calendar days following completion of the proposed action.	NOAA Fisheries Biological Opinion for Steelhead	<u>Construction:</u> Caltrans and the City will ensure compliance with this measure		
83	Caltrans [and the City] shall provide the results of the vegetation monitoring within 30 calendar days following completion of each annual site inspection for the five years following completion of the project as described in the proposed action. The five reports shall include color photographs taken of the project area during each inspection and before implementation of the proposed action. The vegetation monitoring results shall be sent to Jay Ogawa, NMFS, 501 W. Ocean Blvd., Suite 4200, Long Beach, California 90802-4213.	NOAA Fisheries Biological Opinion for Steelhead	<u>Construction:</u> Caltrans and the City will ensure compliance with this measure		