Appendix D
Mitigation Monitoring and Reporting Plan

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
BIO-MM-1: Placement of anchored large wood would be proposed as mitigation for loss of streambed, if required by permitting agencies. Anchored large wood would be placed at a suitable location in the Carmel River to enhance habitat value for aquatic species as mitigation for any loss of streambed habitat. Large wood will be partially buried and anchored in the streambank nearby and downstream of the intake facility. Suitable wood material, such as redwood, douglas fir, pine, or other suitable material would be used. An approximately 15 to 20 foot piece of large wood, preferably with a rootball attached, with a diameter of 24 inches or more, would be cabled and anchored into the streambank to counteract sliding and buoyancy forces. The structure would form the nucleus for complex habitat to develop in the channel bottom in the vicinity of the structure. Placement of large wood would occur per the methods detailed in the National Large Wood Manual (USBR and USACE 2016).	During construction or project-related activities	Construction Contractor and/or District Environmental	District Engineer	
BIO-MM-2: Prior to construction, a qualified botanist or riparian specialist would identify and record the number, type, and size of trees to be removed or trimmed. Replacement planting for riparian trees would occur at a ratio determined through consultation with permitting agencies.	Prior to and during construction or project-related activities	District Environmental and/or Contract Biologist	District Engineer	

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BIO-MM-3: Any oak tree removal will occur in compliance with the Monterey County Oak Preservation Ordinance. The ordinance requires a permit for removal of oaks greater than 6 inches in diameter in most sections of the county and 1:1 replacement. Removal of more than 3 protected trees per lot per year requires a Forest Management Plan, Use Permit, and is subject to CEQA. Monterey County will be the regulatory authority responsible for oversight of the replacement of the oak trees. Any oak trees planned for removal under the proposed project would be assessed for sudden oak death. If trees are found to have the disease, the District will implement additional measures to prevent spreading the disease and will replace the lost oaks with species that are resistant to sudden oak death.	Prior to and during construction or project-related activities	Construction Contractor and/or District Environmental	District Engineer	
BIO-MM-4: To avoid impacts to water quality and aquatic habitats, erosion control BMPs would be developed and implemented to minimize any wind or water-related erosion and would comply with permitting agency requirements. Protective measures would include, at a minimum: • No discharge of pollutants from vehicle and equipment cleaning would be allowed into any storm drains or watercourses. • Vehicle and equipment fueling and maintenance operations would be at least 50 feet away from watercourses, except at established commercial gas	Prior to and during construction or project-related activities	Construction Contractor and/or District Environmental	District Engineer	

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stations or established vehicle maintenance facilities. • Spill containment kits would be maintained on site at all times during construction operations and/or staging or fueling of equipment. • Coir rolls or straw wattles that do not contain plastic or synthetic monofilament netting would be installed along or at the base of slopes during construction to capture sediment. • Graded areas would be protected from erosion using a combination of silt fences, fiber rolls, or other similar protection along toes of slopes or along edges of designated staging areas, and erosion control netting (such as jute or coir) as appropriate on sloped areas. • A speed limit of 15 miles per hour in the project footprint in unpaved areas would be enforced to reduce dust and excessive soil disturbance. • All food and food-related trash items would be enclosed in sealed trash containers and properly disposed of off site. • Pets would not be allowed within the work area or environmentally sensitive areas. • No firearms would be allowed on the project site except for those carried by authorized security personnel or local, State, or federal law enforcement officials. • A Spill Response Plan would be prepared. Hazardous materials (e.g., fuels, oils, or solvents) would be stored in sealable containers in a designated location that is at				

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least 50 feet from hydrologic features.				
BIO-MM-5: Prior to the start of construction, a qualified biologist would conduct an educational training program for all construction personnel. The training would include, at a minimum, a description of the species identified as potentially present in Appendix B; an explanation of the status of these species and protection under federal or State laws; the avoidance and minimization measures to be implemented to reduce take of these species; communication and work stoppage procedures in case a listed species is observed within the action area; and an explanation of the environmentally sensitive areas and wildlife exclusion fencing and the importance of maintaining these structures. A fact sheet conveying this information would be prepared and distributed to all construction personnel. Upon completion of the program, personnel would sign a form stating that they attended the program and understand all the avoidance and minimization measures and implications of the ESA and CESA.	Prior to construction or project-related activities	District Environmental and/or Contract Biologist	District Engineer	
BIO-MM-6: The following project design or avoidance measures would be implemented to avoid construction impacts to steelhead: • MPWMD staff trained in steelhead relocation would remove and relocate any steelhead within construction areas that are to be dewatered • Pumps or bypass pipes required during dewatering would be screened as appropriate to avoid entrainment of steelhead	Prior to and during construction or project-related activities	Construction Contractor and/or District Environmental	District Engineer	

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• Turbid water pumped from in-channel sites would be discharged onto adjacent gravel bars and not directly into the river				
BIO-MM-7: The following project design or avoidance measures would be implemented to avoid construction impacts to amphibious special status species: • Seasonal Avoidance. Work would be limited to the work window for steelhead, from June 1 through October 31, or as required by consultations with permitting agencies. • Wet Weather Restrictions. No work would occur during or within the 24 hours following a rain event exceeding 0.2 inch as measured by Cal-Am at the former San Clemente Dam site. • Environmentally Sensitive Areas. Prior to the start of construction all environmentally sensitive areas, defined as areas containing sensitive habitats adjacent to or within construction work areas for which physical disturbance is not allowed, would be clearly delineated. Construction work areas include the active construction site and all areas providing support for the proposed action (e.g., areas used for vehicle parking, equipment and material storage and staging, and access roads). The delineation of environmentally sensitive areas would remain in place throughout the duration of the active construction phase and would be regularly inspected and fully maintained at all times.	Prior to and during construction or project-related activities	Contract Biologist, Construction Contractor, and/or District Environmental	District Engineer	

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• Wildlife Exclusion Fencing. Prior to the start of construction and after wildlife surveys have been completed, MPWMD, in consultation with permitting agencies, will determine if wildlife exclusion fencing is to be installed within the project footprint, including access road and staging areas. If the fencing is necessary, it would comprise a material that frogs, turtles, or snakes cannot climb or traverse and be a minimum of 36 inches tall, with the bottom edge buried a minimum of 4 inches deep. The fencing would be backfilled with soil, sand bags, or other means to prevent CRLF, western pond turtles, or two-striped garter snakes from passing underneath the fence and entering the project site. Vegetation would be cleared within 18 inches of either side of the fence and remain clear while the fence is operational to prevent species from using vegetation to gain access to the project site by climbing over the fence. The wildlife exclusion fencing would remain in place throughout the construction phase of the project, and would be regularly inspected and fully maintained. Upon project completion, the fencing would be completely removed, and the area cleaned of debris and trash and returned to natural conditions. • Proper Use of Erosion Control Devices. To prevent CRLF, western pond turtle, or two-striped garter snake from becoming entangled, trapped, or injured, erosion control materials that use plastic or synthetic monofilament netting would not be used within the				

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project area. This includes products that use photodegradable or biodegradable synthetic netting, which can take several months to decompose. Acceptable materials include natural fibers such as jute, coconut, twine or other similar fibers. • Avoidance of Entrapment. To prevent inadvertent entrapment during construction, all excavated steep-walled holes or trenches more than 1 foot deep would be covered with plywood or similar materials at the close of each working day or provided with one or more escape ramps constructed of earth fill or wooden planks. The biological monitor would inspect all holes and trenches at the beginning of each workday and before such holes or trenches are filled. • Preconstruction Surveys. Preconstruction surveys would be conducted by a qualified biologist immediately prior to the initiation of any ground disturbing activities and vegetation clearing. The qualified biologist or biological monitor would conduct daily clearance surveys when construction activities are occurring. • Species Observation and Stop Work Authority. If individuals of CRLF, western pond turtles, or two-striped garter snakes are encountered, work activities within 50 feet of the individual must cease immediately and the on-site construction supervisor notified. Based on the professional judgment of the on-site biologist, if project activities can be conducted without injuring or killing the individual, it may be left at the location of discovery and				

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monitored by the biologist. All project personnel would be notified of the finding and at no time would work occur within 50 feet of the animal without a qualified biologist present. Capture and relocation would only be allowed if directed by the USFWS or CDFW.				
BIO-MM-8: The following project design or avoidance measures would be implemented to avoid construction impacts to coast horned lizard: • Minimize habitat disturbance. Excavation within upland habitat would be the minimum required to complete the proposed improvements. To minimize surface disruption, pipe and utility features would be installed in common trenches and situated in existing roads where possible. • Preconstruction surveys and relocation. Preconstruction surveys would be conducted by a qualified biologist immediately prior to the initiation of any ground disturbing activities and vegetation clearing. The qualified biologist or biological monitor would conduct daily clearance surveys when construction activities are occurring. Any coast horned lizards encountered would be relocated away from the work area by a qualified biologist.	Prior to and during construction or project-related activities	Contract Biologist, Construction Contractor, and/or District Environmental	District Engineer	

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BIO-MM-9: A pre-construction survey would be conducted in and adjacent to the limits of grading to identify any woodrat nests that could be impacted by project activities. All nests would be mapped and flagged in the field. If nests are encountered, the following measures would be implemented: • Nest Protection. To the extent feasible, woodrat nests would be avoided during construction. If the nest can be avoided, it would be isolated from the work zone by installation of environmentally sensitive area fencing. • Nest Removal – Non-Breeding Season. If a woodrat nest is detected in the work zone and it cannot be avoided, site clearing would be performed during the non breeding season (i.e., September 1 through November 30). During the non breeding season, the nest would be disassembled by hand and the nest materials (e.g., sticks) moved outside the project footprint. Any adult animals present would be permitted to disperse into adjacent habitat. This work may only be performed by a qualified biologist in coordination with the CDFW. • Nest Removal – Breeding Season. If site clearing must proceed during the breeding season (i.e., December 1 through August 31), it will be necessary to determine whether or not the nest is occupied. This may be done by direct observation over the course of at least two evenings no more than 48 hours prior to nest disassembly. Direct observation may consist of installation of camera traps at the nest or by a biologist	Prior to and during construction or project-related activities	District Environmental and/or Contract Biologist	District Engineer	

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on the ground. If no animals are observed, the nest may be disassembled by hand. If, during the process of disassembling the nest, live animals are encountered, nest materials would be replaced on top of the nest and the effort abandoned. The nest may not be disassembled if young woodrats are present. Construction must then be postponed until the end of the breeding season when juveniles are able to survive on their own.				
BIO-MM-10: The following project design or avoidance measures would be implemented to avoid construction impacts to special status bird species: • If clearing, grubbing, and tree removal or pruning are to be conducted outside of the breeding season (i.e., September 1 through January 31), no preconstruction surveys for nesting migratory birds would be necessary. • If clearing, grubbing, and tree removal or pruning are to be conducted during the breeding season (i.e., February 1 through August 31), a preconstruction nesting bird survey would be conducted. The survey would be performed by a qualified biologist no more than 2 weeks prior to the initiation of work. If no nesting or breeding activity is observed, work may proceed without restrictions. To the extent allowed by access, all active nests identified within 92 m (300 feet) for raptors and 31 m (100 feet) for passerines would be mapped. • For any active nests found near the construction	Prior to and during construction or project-related activities	District Environmental and/or Contract Biologist	District Engineer	

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limits (i.e., 92 m [300 feet for raptors and 31 m [100 feet] for passerines), the project biologist would make a determination as to whether or not construction activities are likely to disrupt reproductive behavior. If it is determined that construction is unlikely to disrupt breeding behavior, construction may proceed. If it is determined that construction may disrupt breeding, the no-construction buffer zone would be expanded; avoidance is the only mitigation available. The ultimate size of the no construction buffer zone may be adjusted by the project biologist based on the species involved, topography, lines of sight between the work area and the nest, physical barriers, and the ambient level of human activity. If it is determined that construction activities are likely to disrupt raptor breeding, construction activities within the no-construction buffer zone may not proceed until the project biologist determines that the nest is no longer occupied. • If maintenance of a no-construction buffer zone is not feasible, the project biologist would monitor the nest(s) to document breeding and rearing behavior of the adult birds. If it is determined that construction activities are likely to cause nest abandonment, work would cease immediately and the CDFW and/or the USFWS Division of Migratory Bird Management would be contacted for guidance.				
BIO-MM-11: The following project design or avoidance measures would be implemented to avoid construction	Prior to and during	District Environmental and/or Contract	District Engineer	

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impacts to special status bat species: • Bat Habitat Assessment. If work is to take place during the bat breeding season (i.e., April 1 through August 31), a qualified biologist would conduct a survey of the project site and vicinity to determine if active maternity roosts are present. This survey would be conducted no more than 14 days prior to the initiation of work. • Maternal Roosts. If any trees or structures are determined to support or potentially support maternal bat roosts, work may not proceed if it would destroy roosts or disrupt breeding. Maternal bat roosts may only be removed or demolished after coordination with the CDFW. Passive exclusion of roosting bats would be required, and this may only be performed during the non-breeding season (i.e., between October 1 and March 30). • Preconstruction Survey. A preconstruction survey would be conducted by a qualified biologist to identify suitable bat roosting sites. The survey would be conducted no more than 48 hours prior to the initiation of work and would include an area extending up to 61 m (200 feet) of the limits of work, access permitting. • Protocol for Observations of Live Bats. If live bats are detected in the work area, work may not proceed until CDFW has been consulted. Contractors or others may not attempt to disturb (e.g., shake or prod) roosting	construction or project-related activities	Biologist		

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features to coax bats to leave. • Day or Night Roosts. Any trees determined to provide suitable day or night roosting sites for bats would be identified and marked on site plans. Such roosting sites include snags, rotten stumps, decadent trees with broken limbs, exfoliating bark, cavities, and openings leading to interior portions of any structures. If no suitable roost sites or evidence of bat roosting are identified, impact minimization measures are not warranted. If suitable roosting sites or evidence of bat roosting are identified, the following measures would be conducted in coordination with CDFW: – A qualified biologist would survey suitable roost sites immediately prior to the removal or significant pruning of any of the larger trees, or demolition or significant renovation of any structures. – If the project biologist identifies suitable day or night roost sites or evidence of bat occupation, the following steps would be followed to discourage use of the sites by bats and to ensure that any bats present are able to safely relocate. – For trees: – Tree limbs smaller than 7.6 centimeters (3 inches) in diameter would be removed and any loose bark would be peeled away. – Any competing limbs that provide shelter				

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around the potential roost site would be removed to create as open of an area as possible. – The tree would then be left alone to allow any bats using the tree/snag to find another roost during their nocturnal activity period. – Trees would be re-surveyed 48 hours after trimming. – If no bats are present, work may proceed. – If bats remain on site, additional measures would be prescribed by the biologist.				
BIO-MM-12: A qualified biologist would survey the work area for presence of CNPS list species prior to any work in upland areas. If any CNPS list species are identified, potential impacts from construction activities would be avoided to the extent possible by working around the populations.	Prior to and during construction or project-related activities	District Environmental and/or Contract Biologist	District Engineer	

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CULT-MM-1: An archaeological monitor will be on-site during construction that may extend into native sediments. Monitoring will be supervised by a qualified archaeologist. If archaeological materials are encountered, the monitor will be authorized to stop construction as necessary to protect the find. The monitor will contact the qualified archaeologist. The qualified archaeologist will work with the District to assess the significance of the find, contact the Native American Heritage Commission, and determine appropriate avoidance or mitigation measures. Construction may resume in the area when mitigation has been completed and the District has authorized the activity.	During construction or project-related activities	District Environmental and/or Contract Archaeologist	District Engineer	
CULT-MM-2: Pursuant to CEQA Guidelines 15064.5 (f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the District would consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the District and the qualified archaeologist and/or paleontologist would meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be subject to scientific analysis, professional museum inclusion, and a report prepared by the qualified archaeologist according to current professional standards. If	During construction or project-related activities	District Environmental and/or Contract Archaeologist	District Engineer	

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the discovery includes human remains, CEQA Guidelines 15064.5 (e)(1) shall be followed, which is as follows: (e) In the event of the accidental discovery or other than a dedicated cemetery, the following steps should be taken: (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: (A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and (B) If the coroner determines the remains to be Native American: 1. The coroner shall contact the Native American Heritage Commission within 24 hours. 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and				

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any associated grave goods as provided in Public Resources Code Section 5097.98, or (2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance. (A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission; (B) The descendant identified fails to make a recommendation; or (C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.				

Notes:
BMP = best management practice
CDFW = California Department of Fish and Wildlife
CEQA = California Environmental Quality Act
CESA = California Endangered Species Act
CNPS = California Native Plant Society
CRLF = California red-legged frog
ESA = Endangered Species Act

MPWMD = Monterey Peninsula Water Management District
NMFS = National Marine Fisheries Service
RWQCB = Regional Water Quality Control Board
USACE = U.S. Army Corps of Engineers
USBR = U.S. Bureau of Reclamation
USFWS = U.S. Fish and Wildlife Service