

**STAFF REPORT
C03**

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10/18/18

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PRC 504.9
M. Schroeder

**CONSIDER ACCEPTANCE OF A LEASE QUITCLAIM DEED AND ISSUANCE OF A
GENERAL LEASE – PUBLIC AGENCY USE**

LESSEE / APPLICANT:

County of Tehama

PROPOSED LEASE:

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to Assessor's Parcel Numbers 009-120-022, -023; 009-150-34; and 009-160-01, near Red Bluff, Tehama County.

AUTHORIZED USE:

Construction, use, and maintenance of a new bridge, known as the Jelly's Ferry Road Bridge; use of a temporary construction easement; temporary use and maintenance of the existing Jelly's Ferry Road Bridge (No. 08C-0043); and the demolition and removal of the existing bridge and concrete piers.

LEASE TERM:

25 years, beginning October 18, 2018.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

1. Lessee shall not place, attach, or authorize the placement of any utilities or other improvements on the Bridge or within the Lease Premises without the Lessor's prior review and approval. Separate leases or subleases are required and shall be obtained for all utilities not operated by Lessee.
2. Lessee shall place warning signage and/or buoys, clearly visible from the shore and in the water, both upstream and downstream of the construction site, to provide notice of the bridge replacement

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project and to advise the public to exercise caution. Lessee shall place and maintain such signage at all times during bridge removal and construction activities and shall notify the California Department of Parks and Recreation's Division of Boating and Waterways of the location, description, and purpose of such signage upon its installation and removal.

3. Lessee shall install signs directing the public to the nearby Bureau of Land Management Jelly's Ferry Recreational Area and along the Yana Trail, which are located adjacent to the Lease Premises, for public access to the Sacramento River at this location.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6301, 6501.1, and 6503; California Code of Regulations, title 2, sections 2000 and 2003.

Public Trust and State's Best Interests Analysis:

On March 23, 1950, the Commission authorized a Right-of-Way Lease to the County of Tehama for the construction, use and maintenance of the existing Jelly's Ferry Road Bridge ([Minute Item 3, March 23, 1950](#)). That lease expires at the end of life of the bridge. The Lessee has submitted a lease quitclaim deed for the existing permit and requests its acceptance. In addition, the Applicant has submitted an application for a General Lease – Public Agency Use for the construction, use, and maintenance of a new bridge, known as the Jelly's Ferry Road Bridge, use of a temporary construction easement, temporary use and maintenance of the existing Jelly's Ferry Road Bridge (No. 08C-0043), and the demolition and removal of the existing bridge and concrete piers. The Applicant has the right to use the uplands adjoining the existing and proposed lease premises.

In 2009, the California Department of Transportation determined the existing bridge to be functionally obsolete. As a result, the bridge will be replaced. The proposed bridge replacement over the Sacramento River will provide an improved transportation network for statewide transportation needs. The new bridge will provide increased mobility across Jelly's Ferry Road as an alternative to Interstate 5. Removal of the seismically and structurally deficient one-lane timber deck bridge and replacement with a new two-lane concrete bridge that meets current seismic and structural design standards will provide increased public safety. The proposed bridge will be approximately 1,264 feet long and 80 feet wide, with six spans. Approximately 350 feet of the bridge will be located on or over sovereign land in the bed of the Sacramento River. The

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proposed spans will be constructed of cast-in-place post-tensioned concrete box girder on concrete piers founded on cast-in-drilled-hole concrete piles. The width allows up to two traffic lanes and shoulders on both sides. The proposed bridge will be wider and located on a new alignment upstream of the existing bridge. The proposed lease premises encompasses the right-of-way for the existing bridge.

As part of the project, the Applicant proposes to provide openings in the bridge structure to accommodate utility conduits. Installation of utility conduits is not part of the project and each utility company is responsible for installation of their utility conduits. The existing utilities at the site include: Pacific Gas & Electric Company (PG&E), Charter Cable TV, and AT&T. The PG&E facilities consist of three, 12-kV overhead lines on joint use poles that follow the east side of Jelly's Ferry Road on both sides of the river. Prior to crossing the river, the PG&E overhead lines travel 900 feet east of the existing bridge and then cross over the river. Charter Cable TV has overhead fiber-optic cable located with the PG&E overhead facilities and follows the same crossing over the river. AT&T facilities consist of overhead lines generally located within the PG&E overhead lines, with the exception that the AT&T overhead lines cross the river adjacent to the existing bridge. The existing utilities are not currently authorized by the Commission. AT&T, PG&E, and Charter Cable TV understand that they must submit applications for separate leases and that the utilities cannot be installed without Commission approval.

Construction of the proposed bridge is planned to be completed over two construction seasons. The existing bridge was recently closed due to age-related structural damage. Once the new bridge is opened for traffic, the existing bridge will be demolished. Construction within the Sacramento River will be limited to the period between March 15 and October 1 to minimize impacts to fish habitat.

Temporary gravel work pads and trestles will be utilized during construction of the new bridge and removal of the existing bridge. Two gravel work pads will be placed in the river, one extending from the south bank of the river and one extending from the north bank of the river. The gravel work pads will consist of 1- to 4-inch-diameter uncrushed, washed and rounded river rock. Two temporary work trestles including finger piers will be built with one upstream and one downstream of the new bridge to span between the gravel work pads. A majority of the gravel work pads will be removed upon construction completion, with the exception of 1 foot of gravel to be left in the river to avoid impacts to the natural bed of the river and to provide a source of suitable fish spawning gravel to be

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dispersed by natural flows in the river. The trestles will be fully removed once construction is complete. The existing structure will be removed in its entirety including removal of the concrete piers.

Removal of the concrete piers located in the Sacramento River will require either temporary coffer dams or cutting the piers into sections for removal. Due to the hard subsurface conditions and large cobbles and boulders likely to be encountered at the existing pier locations, driving sheet piling for a cofferdam may not be possible. If installation of the temporary coffer dams is not possible, the existing piers will be cut into sections and each section removed, with the exception that the concrete piers may be cut off 5 feet below the mud line and left in place if the Applicant is unsuccessful in its attempts to remove the concrete piers completely. In the event the Applicant is unable to completely remove the concrete piers, the Applicant will remain responsible for any abandoned structures. Should the Commission determine that any abandoned structures have become a hazard to the public, the Applicant will be required to remedy the hazard. With the exception of the 1-foot-layer of gravel to remain in the river, the riverbed and banks will be returned to their original condition upon completion of construction activities.

Upon completion of the demolition of the existing bridge and upon application by the Lessee, the leased area will be reduced to the footprint of the newly constructed bridge, as identified in the attached Exhibit A-1.

Promotion of public access to and use of California's navigable waters is a mandate of the California Constitution (article X, § 4), a condition of statehood in the Act of Admission (Vol. 9, Statutes at Large, page 452), and a responsibility of all involved public agencies pursuant to the common law Public Trust Doctrine. Frequently, the most logical location for access to a waterway is at a bridge crossing. Kayakers, rafters, and others may legally utilize the public access easements around bridges to enter and exit navigable waterways. With those factors in mind, the legislature adopted three code sections in 1974 to facilitate increased public access around bridges (Sts. & Hy. Code, §§ 84.5, 991, & 1809). All state or county highway projects and all city street projects that propose construction of a new bridge over a navigable waterway must consider, and report on, the feasibility of providing public access for recreational purposes to the waterway before the bridge is constructed. These code provisions apply to state agencies and city and county governments that approve bridge construction projects.

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As part of the project action, the Department of Public Works of the County of Tehama conducted a Feasibility Study, pursuant to California Streets and Highways Code section 991, on the feasibility of providing public access to the waterway for recreational purposes and determined there is an existing public access facility, identified as Jelly's Ferry Recreation Area, nearby. In addition, the Yana Trail that runs north and south along the banks of the river provides numerous unimpeded access points to the river. Lease terms will require the Lessee to post signs directing the public to nearby public access points. Brief restrictions on access to and under portions of the river are expected during construction and demolition for purposes of public safety; however, it is expected that navigation on the river will not be impeded.

The current bridge has existed for many years at this location. The proposed lease includes certain provisions protecting the public use of the proposed lease area and requires the County to obtain necessary permits for the project. Furthermore, the existing and proposed bridge do not significantly alter the land, the lease does not alienate the State's fee simple interest, and neither permanently impairs public rights. The lease requires the County to conduct all repair and maintenance work safely and indemnify the Commission in the event of any liability resulting from the proposed action. The lease is limited to a 25-year term, and does not grant the lessee exclusive rights to the lease premises, which allows the Commission flexibility to determine if the Public Trust needs of the area have changed over time. Therefore, staff believes this use of public land, by a public agency, for a public benefit will not substantially impair the public rights to navigation and fishing or substantially interfere with the Public Trust needs and values at this location, at this time, and for the foreseeable term of the lease.

Climate Change:

The project area is not tidally influenced and therefore, would not be subject to sea-level rise. However, as stated in *Safeguarding California Plan: 2018 Update* (California Natural Resources Agency 2018), climate change is projected to increase the frequency and severity of natural disasters related to flooding, drought, and storms. In rivers, more frequent and powerful storms can result in increased flooding conditions and damage from storm-created debris. Conversely, prolonged droughts could dramatically reduce river flow and water levels, leading to loss of public access and navigability. Climate change will further influence riverine areas by changing erosion and sedimentation rates, and flooding and storm flow, as well as runoff, will likely increase scour, decreasing bank stability at a faster rate.

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Due to these potential changes, the proposed Jelly's Ferry Road Bridge could need reinforcement in the future to withstand higher levels of flood exposure and more frequent storm events. Regular maintenance, as required by the lease, will reduce the likelihood of severe structural degradation or dislodgement. Pursuant to the proposed lease, the Applicant acknowledges that the lease premises are located in an area that may be subject to effects of climate change.

Conclusion:

For the reasons stated above, staff believes the issuance of the proposed lease will not substantially impair the public rights to navigation, fishing, or other Public Trust needs and values at this location, at this time, and for the foreseeable term of the proposed lease, and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation, and responsible economic use of the lands and resources under the Commission's jurisdiction and Strategy 1.3 to protect, expand, and enhance appropriate public use and access to and along the State's inland and coastal waterways.
2. Acceptance of a quitclaim for the existing right-of-way easement is not a project as defined by the California Environmental Quality Act (CEQA) because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

3. A Mitigated Negative Declaration, State Clearinghouse No. 2007082085, was prepared by Tehama County Public Works and adopted on April 22, 2008. In addition, an Addendum to the MND was approved on June 24, 2014, for this project. Commission staff has reviewed these documents. A Mitigation Monitoring Program was adopted by Tehama County Public Works.
4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon staff's consultation with the persons nominating such lands and through

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the CEQA review process, it is staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

Central Valley Regional Water Quality Control Board
California Department of Fish and Wildlife
U.S. Fish and Wildlife Service
NOAA Fisheries

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers
Central Valley Flood Protection Board

EXHIBITS:

- A-1. Land Description
- A-2. Land Description
- B. Site and Location Map
- C. Mitigation Monitoring Program

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that a Mitigated Negative Declaration, State Clearinghouse No. 2007082085, and a Mitigation Monitoring Program were prepared by Tehama County Public Works and adopted on April 22, 2008, and an Addendum to the MND was approved on June 24, 2014, for this Project; that the Commission has reviewed and considered the information contained therein; that in the Commission's independent judgement, the scope of activities to be carried out under the lease to be issued by this authorization have been adequately analyzed; that none of the events specified in Public Resources Code section 21166 or the State CEQA Guidelines section 15162 resulting in any new or substantially more severe significant impact has occurred; and, therefore no additional CEQA analysis is required.

Adopt the Mitigation Monitoring Program, as contained in the attached Exhibit C.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed lease for the construction, use, and maintenance of a new bridge at Jelly's Ferry Road on the Sacramento River; the use of a temporary construction easement; and the demolition and removal of the

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existing bridge (Bridge No. 08C-0043) and concrete piers will not substantially impair the public rights to navigation and fishing or substantially interfere with Public Trust needs and values at this location, at this time, and for the foreseeable term of the lease; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

1. Authorize acceptance of a quitclaim deed, effective October 17, 2018, of Permit No. PRC 504.9, a Right-of-Way Lease, issued to the County of Tehama.
2. Authorize the Executive Officer to accept a Quitclaim Deed relinquishing any right, title, or interest with respect to that parcel as described as Exhibit A-2, as shown on Exhibit A, Land Description, upon completion of construction.
3. Authorize issuance of a General Lease – Public Agency Use to the County of Tehama, beginning October 18, 2018, for a term of 25 years, for the construction, use, and maintenance of a new bridge, known as the Jelly’s Ferry Road Bridge; use of a temporary construction easement; temporary use and maintenance of the existing Jelly’s Ferry Road Bridge (No. 08C-0043); and the demolition and removal of the existing bridge and concrete piers, as described on Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof; consideration is the public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State’s best interests.

Exhibit "A-1"

PRC 504.9

LAND DESCRIPTION

A strip of submerged land across the bed of the Sacramento River, lying in Section 3, Township 28 North, Range 3 West, MDM and Section 34, Township 29 North, Range 3 West, MDM, Tehama County State of California, 80 feet wide, being 40 feet each side of the following described line:

COMMENCING at the intersection of the north line of a 40-foot road and the west line of Parcel D as shown on Book 10 of Parcel Maps, at Page 17, Official Records of Tehama County, said point being a T-Bar marked "RCE 14359" as shown on said Parcel Map; thence along said north line North 56°40'09" East 527.04 feet to a T-Bar marked "RCE 14359" as shown on said Parcel Map and the beginning of a 1130 feet radius curve to the left; thence continuing along said north line and curve through a central angle of 22°53'30", 451.58 feet, thence leaving said north line South 56°13'21" East 20.00 to the centerline of Jellys Ferry Road; thence along said centerline North 33°46'39" East 407.87 feet to the beginning of a non-tangential 3970.00 feet radius curve the center of which bears North 58°48'22" West; thence continuing along said centerline and curve through a central angle of 08°32'52" 592 feet more or less to a point on the right bank of the Sacramento River, said point being the **POINT OF BEGINNING**; thence continuing along said curve and centerline through a central angle of 05°03'03" 350 feet more or less to the a point on the left bank of the Sacramento River and **POINT OF TERMINATION** of this description.

EXCEPTING THEREFROM any portions lying landward of the low water marks of the Sacramento River.

The sidelines of this strip being lengthened or shortened as necessary to begin on the south Low Water Mark and end on the north Low Water Mark of the Sacramento River.

Containing 28,200 square feet (0.647 acres), more or less.

Attached hereto is a plat labeled "Exhibit A-3" and by this reference made a part hereof. All bearings shown herein are grid, California Coordinate System of 1983, Zone 1, North American Datum of 1983, Epoch Date: 2007.00. All distances herein are grid distances in U.S. Survey feet. To compute ground distance, divide grid distances by 0.99992293. Area is ground area.

Rotate bearings of "Parcel Map 91-31" recorded in Book 10 of Parcel Maps, at Page 17, Official Records of Tehama County, 00°01'51" counterclockwise to match this legal description.

END OF DESCRIPTION

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

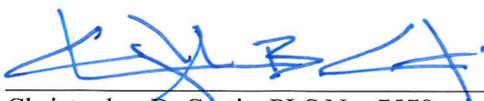
 05 SEP '18
Christopher B. Curtis, PLS No. 7579 Date



Exhibit "A-2"

PRC 504.9

LAND DESCRIPTION

A parcel of submerged land across the bed of the Sacramento River, lying in Section 3, Township 28 North, Range 3 West, MDM and Section 34, Township 29 North, Range 3 West, MDM, Tehama County State of California, being more particularly described as follows:

COMMENCING at the intersection of the north line of a 40-foot road and the west line of Parcel D as shown on Book 10 of Parcel Maps, at Page 17, Official Records of Tehama County, said point being a T-Bar marked "RCE 14359" as shown on said Parcel Map; thence along said north line North 56°40'09" East 527.04 feet to a T-Bar marked "RCE 14359" as shown on said Parcel Map and the beginning of a 1130 feet radius curve to the left; thence continuing along said north line and curve through a central angle of 22°53'30", 451.58 feet, thence leaving said north line South 56°13'21" East 20.00 to the centerline of Jellys Ferry Road; thence along said centerline North 33°46'39" East 407.87 feet to the beginning of a non-tangential 3970.00 feet radius curve the center of which bears North 58°48'22" West; thence continuing along said centerline and curve through a central angle of 08°32'52" 592 feet more or less to a point on the right bank of the Sacramento River; thence South 85°45'00" West 135.10 feet to a point on said right bank having coordinates of N 1,998,731.45, E 6,508,468.72 and being the **POINT OF BEGINNING**; thence along said right bank to a point having coordinates of N 1,998,667.37, E 6,509,014.18; thence North 14°29'31" East 365.16 feet to a point on the left bank of said River having coordinates of N 1,999,020.91, E 6,509,105.56; thence along said left bank to a point having coordinates of N 1,999,067.88, E 1,999 067.88; thence South 20°52'23" West 360.06 feet to the **POINT OF BEGINNING**.

EXCEPTING THEREFROM any portions lying landward of the low water marks of the Sacramento River.

ALSO EXCEPTING THEREFROM any portions described Exhibits A-1.

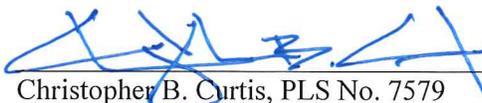
Containing 158,000 square feet (3.63 acres), more or less.

Attached hereto is a plat labeled "Exhibit A-3" and by this reference made a part hereof. All bearings and coordinates shown herein are grid, California Coordinate System of 1983, Zone 1, North American Datum of 1983, Epoch Date: 2007.00. All distances herein are grid distances in U.S. Survey feet. To compute ground distance, divide grid distances by 0.99992293. Area is ground area.

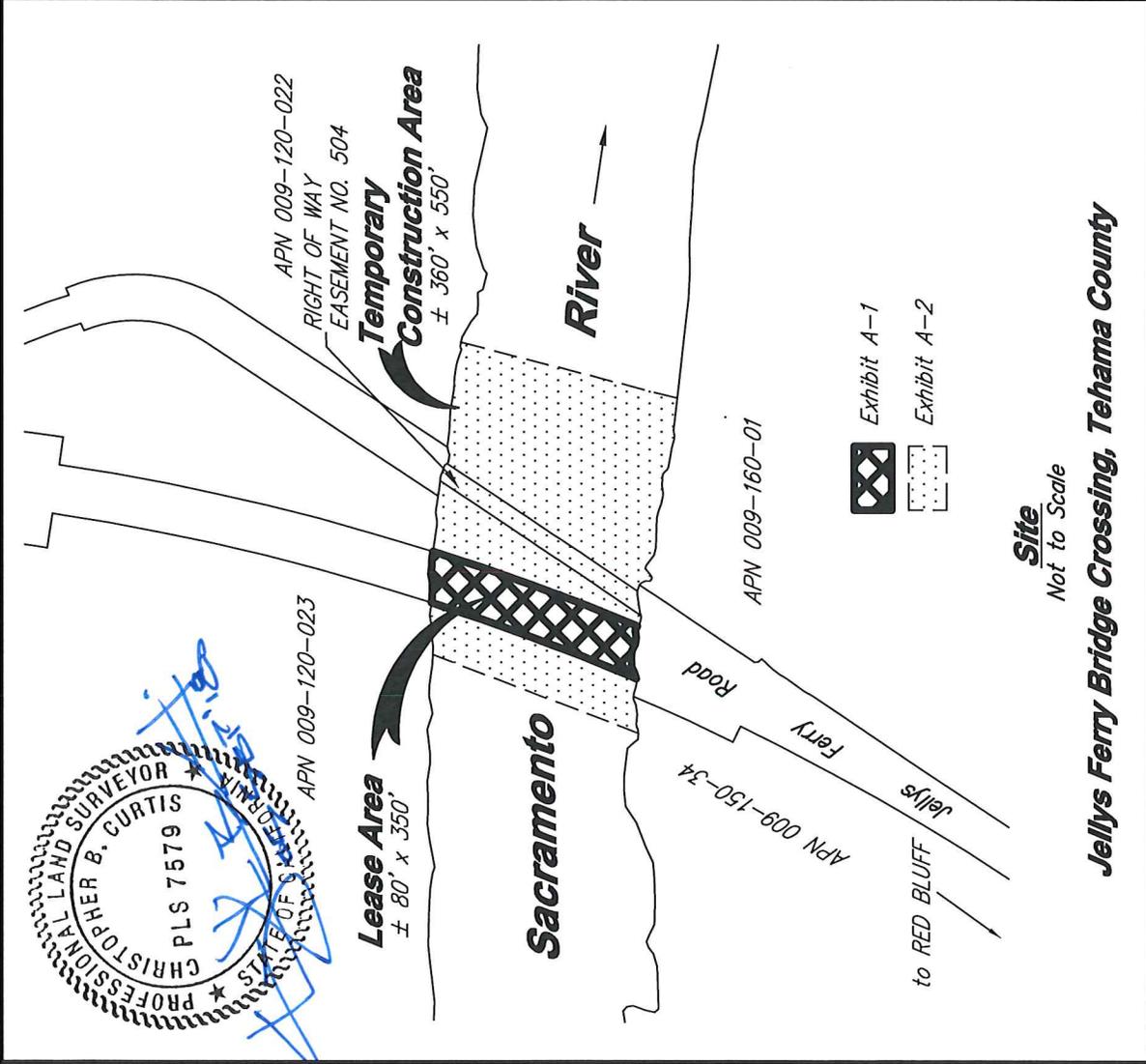
Rotate bearings of "Parcel Map 91-31" recorded in Book 10 of Parcel Maps, at Page 17, Official Records of Tehama County, 00°01'51" counterclockwise to match this legal description.

END OF DESCRIPTION

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

 05 SEP '18
Christopher B. Curtis, PLS No. 7579 Date`





This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as a waiver or limitation of any State interest in the subject or any other property.

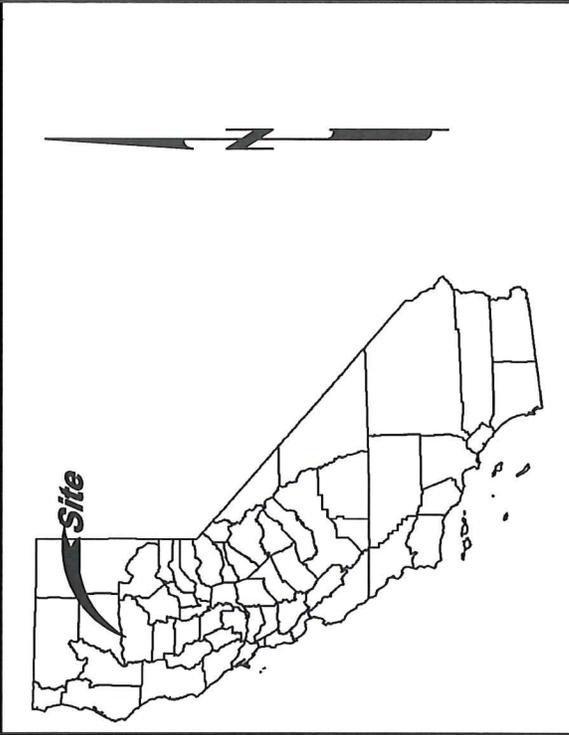
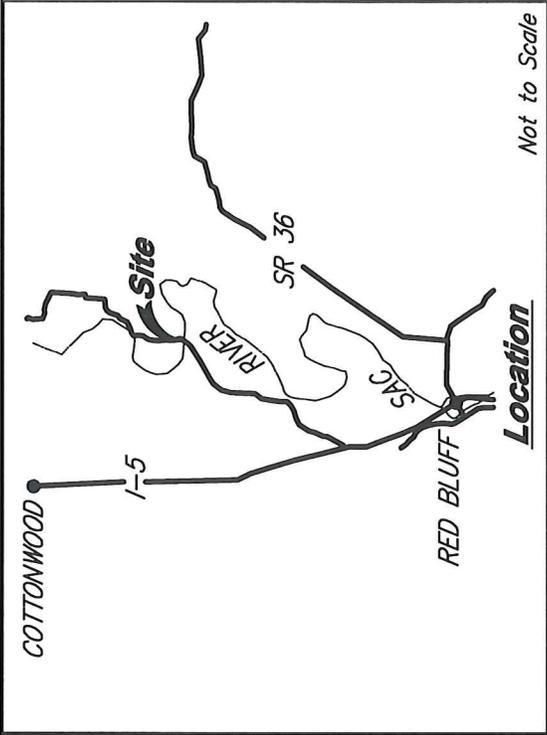
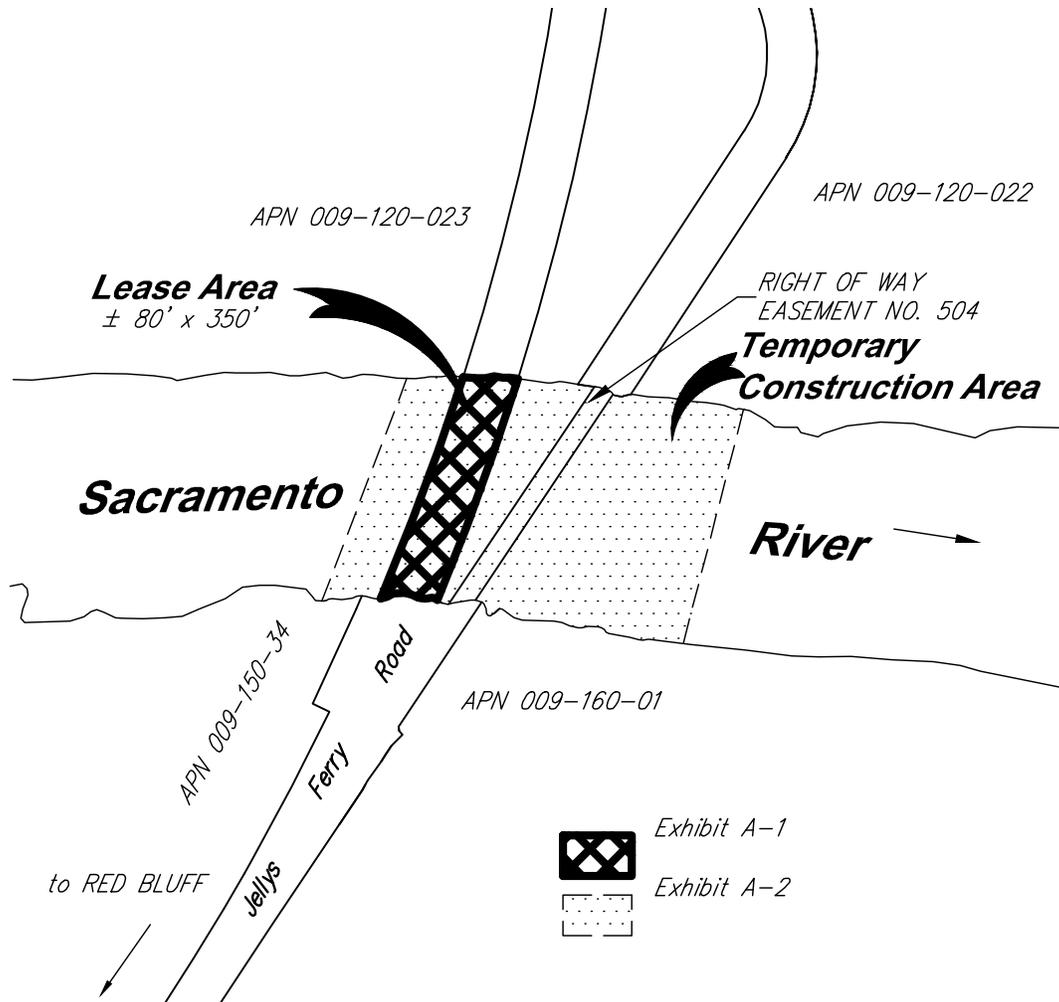


Exhibit A-3
 PRC 504.9
 General Lease – Public Agency Use
 County of Tehama

Scale:	NONE	Drawn:	CBC	Job No.:	07017.00
Date:	05 SEP '18	Checked:	CBC	Sheet	1 of 1

NO SCALE

SITE



JELLY'S FERRY ROAD BRIDGE DEMOLITION AND REPLACEMENT

NO SCALE

LOCATION MAP



MAP SOURCE: USGS QUAD

Exhibit B

PRC 504.9
 TEHEMA COUNTY
 APN 9-150-34, 9-120-22
 & 23, 9-160-01
 GENERAL LEASE -
 PUBLIC AGENCY USE
 TEHEMA COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

JAK 9/18

EXHIBIT C
CALIFORNIA STATE LANDS COMMISSION
MITIGATION MONITORING PROGRAM
JELLYS FERRY ROAD BRIDGE REPLACEMENT PROJECT
(PRC 504.9, State Clearinghouse No. 2007082085)

The California State Lands Commission (Commission or CSLC) is a responsible agency under the California Environmental Quality Act (CEQA) for the Jellys Ferry Road Bridge Replacement Project (Project). The CEQA lead agency for the Project is Tehama County Public Works.

In conjunction with approval of this Project, the Commission adopts this Mitigation Monitoring Program (MMP) for the implementation of mitigation measures for the portion(s) of the Project located on Commission lands. The purpose of a MMP is to impose feasible measures to avoid or substantially reduce the significant environmental impacts from a project identified in an Environmental Impact Report (EIR) or a Mitigated Negative Declaration (MND). State CEQA Guidelines section 15097, subdivision (a), states in part:¹

In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

The lead agency adopted an MND and an Addendum, State Clearinghouse No. 2007082085, adopted an MMP for the whole of the Project (see Exhibit C, Attachment C-1), and remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with its program. The Commission's action and authority as a responsible agency apply only to the mitigation measures listed in Table C-1 below. The full text of each mitigation measure, as set forth in the MMP prepared by the CEQA lead agency and listed in Table C-1, is incorporated by reference in this Exhibit C. Any mitigation measures adopted by the Commission that differ substantially from those adopted by the lead agency are shown as follows:

- Additions to the text of the mitigation measure are underlined; and
- Deletions of the text of the mitigation measure are shown as ~~strikeout~~ or as otherwise noted.

¹ The State CEQA Guidelines are found at California Code of Regulations, title 14, section 15000 et seq.

Table C-1. Project Impacts and Applicable Mitigation Measures

Potential Impact	Mitigation Measure (MM) ²	Difference Between CSLC MMP and Lead Agency MMP
Air Quality	AQ-1 to AQ-9	None
Biology - Bats	BIO-5 to BIO-8	None
Biology - Pacific Pond Turtle	BIO-22 to BIO-24	None
Biology - Fish	BIO-33 to BIO-46	None
Cultural Resources	CULT-2 to CULT-4	See additions to CULT-2 and CULT-3 below
Hydrology/Water Quality	WQ-1 to WQ-5	None
Noise	NOISE-1	None

CULT-2: If deposits of previously undiscovered prehistoric or historic archaeological materials, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable soils, glass, metal, ceramics, wood or similar debris, are discovered during Proposed Project construction activities (including grading, trenching, or other on-site excavations) construction activities within 25 feet of these materials shall be stopped by the construction contractor. A professional archaeologist certified by the Registry of Professional Archaeologists (RPA) shall be retained to evaluate the significance of the find and suggest appropriate identification, collection, and cataloguing procedures of the artifact(s). The title to all abandoned archaeological sites, and historic or cultural resources on or in the tide and submerged lands of California is vested in the State and under the jurisdiction of the California State Lands Commission (Commission) (Pub. Resources Code, § 6313). The County shall consult with Commission staff should any archaeological or historical resources on State lands be discovered during construction of the proposed Project. The final disposition of archaeological or historical resources recovered on State lands under the jurisdiction of the Commission must be approved by the Commission.

CULT-3: If previously undiscovered paleontological resources are uncovered during Proposed Project construction activities (including grading, trenching, or other on-site excavations) construction activities within 25 feet of these materials shall be stopped by the construction contractor. A certified professional archaeologist/paleontologist shall be retained to evaluate the significance of the find and suggest appropriate identification, collection, and cataloguing procedures of the resources. The title to all paleontological resources on or in the tide and submerged lands of California is vested in the State and under the jurisdiction of the California State Lands Commission (Commission) (Pub. Resources Code, §§ 6401, 6407). The County shall consult with Commission staff should any paleontological resources on State lands be discovered during construction of the proposed Project. The final disposition of paleontological resources recovered on State lands under the jurisdiction of the Commission must be approved by the Commission.

² See Attachment C-1 for the full text of each MM taken from the MMP prepared by the CEQA lead agency.

ATTACHMENT C-1

**Mitigation Monitoring Program Adopted by
Tehama County**

MITIGATION MONITORING AND REPORTING PROGRAM

JELLY'S FERRY ROAD BRIDGE REPLACEMENT PROJECT

This Mitigation and Monitoring Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) and the Addendum IS/MND prepared for the proposed Jelly's Ferry Road Bridge Replacement Project (proposed Project). The purpose of the MMRP is to ensure the implementation of mitigation measures identified as part of the environmental review for the project. The MMRP includes the following information:

- A list of mitigation measures;
- The party responsible for implementing the mitigation measures;
- The timing for implementation of the mitigation measure;
- The agency/county department responsible for monitoring the implementation; and
- The monitoring action and frequency.

Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure	Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria
AESTHETICS							
1	<u>AES-1</u>	The construction contractor shall construct excavation slopes for access roads on the river banks as steep as possible to minimize tree and riparian vegetation removal.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Excavation slopes constructed as steep as possible to minimize vegetation removal.
2	<u>AES-2</u>	During construction, the construction contractor shall use excavation methods along the length of the proposed Project that would not expose the roots of remaining trees adjacent to the temporary and permanent impact areas. These excavation methods would ensure that trees are not damaged and have to be removed during the construction period.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Excavation methods used that do not expose roots of remaining trees.
3	<u>AES-3</u>	During construction, if rock outcroppings are discovered, the construction contractor shall incorporate methods to preserve and retain such outcroppings to ensure that they are not damaged by construction activities.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Incorporation of methods to preserve rock outcroppings.
4	<u>AES-4</u>	The construction contractor, prior to the completion of construction, shall ensure that recontouring of landforms has been completed on-site where grading and/or excavation has occurred.	During Construction	Construction Contractor	County of Tehama	During and following construction	Recontour landforms where grading and/or excavation occurred.
5	<u>AES-5</u>	Prior to the commencement of construction activities, a Revegetation Plan shall be prepared by the construction contractor and submitted for approval to Caltrans and Tehama County. The Revegetation Plan shall include procedures to replace the vegetation removed during construction and to revegetate all construction staging areas. The Plan shall also outline procedures on replacing native tree species that are removed during construction that have a diameter at breast height (dbh) of six inches or larger on a 3:1 replacement ratio. The Revegetation Plan shall establish erosion control seed species, origin and application strategy in consultation with Caltrans landscape Architects, Caltrans biologists, Tehama County and BLM resource specialists.	During Construction	Construction Contractor	County of Tehama / Caltrans	Prior to construction	Revegetation plan prepared and submitted for approval to Caltrans and Tehama County.

Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure	Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria
6	<u>AES-6</u>	The construction contractor shall save, stockpile and reapply duff and topsoil on disturbed slopes to reduce (hide or camouflage) newly constructed areas and to promote the growth and return of natural vegetation to such disturbed areas.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Duff and topsoil is saved, stockpiled, and reapplied.
7	<u>AES-7</u>	The construction contractor shall apply site-specific erosion techniques to all disturbed slopes in accordance with erosion standards of Tehama County and Caltrans.	During and Post Construction	Construction Contractor	County of Tehama / Caltrans	Consistently throughout construction	Site-specific erosion techniques are applied to all disturbed slopes.
AIR QUALITY – Construction Pollutant Emissions							
8	<u>AQ-1</u>	The construction contractor shall ensure that all construction equipment used on-site is maintained in proper tune and working order according to the manufacturer's specifications.	Prior to and During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	All construction equipment is maintained in proper tune and working order.
9	<u>AQ-2</u>	The construction contractor shall (to the maximum extent feasible) use diesel construction equipment meeting the CARB's 1996 or newer certification standard for off-road heavy-duty diesel engines.	Prior to and During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Diesel construction equipment meets the CARB's 1996 or newer certification standard.
10	<u>AQ-3</u>	The construction contractor shall ensure that all construction equipment used on site during construction activities are registered in the CARB DOORS program and that the equipment meets all applicable standards for replacement and/or retrofit.	Prior to and During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Construction equipment used is registered in the CARB DOORS program and meets applicable standards.
11	<u>AQ-4</u>	The construction contractor shall ensure that all portable construction equipment, rated over 50 brake horse power, is registered in the Portable Equipment Registration Program prior to commencement of construction activities and use of such equipment.	Prior to construction	Construction Contractor	County of Tehama	Prior to and during construction	All portable construction equipment, rated over 50 brake horse power is registered in the Portable Equipment Registration Program.
12	<u>AQ-5</u>	When feasible, the construction contractor shall employ the use of electrical construction equipment rather than diesel- or gasoline-powered equipment.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Electrical construction equipment is used when feasible.

Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure	Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria
13	<u>AQ-6</u>	If the use of electrical construction equipment is not feasible or available, the construction contractor shall substitute (if feasible) gasoline-powered equipment for diesel-powered equipment.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Diesel-powered equipment is used before gasoline-powered equipment when electrical equipment is not feasible.
14	<u>AQ-7</u>	If feasible the construction contractor shall use alternatively fueled construction equipment on site. Alternative fuels that may be used include: compressed natural gas, liquefied natural gas, propane, or biodiesel.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Alternative fueled construction equipment is used when feasible.
15	<u>AQ-8</u>	If feasible, the construction contractor shall use construction equipment that has pre-chamber diesel engines.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Construction equipment with pre-chamber diesel engines is used.
AIR QUALITY –Dust Control							
16	<u>AQ-9</u>	Water shall be applied by means of truck(s), hoses and/or sprinklers as needed prior to any land clearing or earth movement activities to minimize dust emissions. Water shall be applied to disturbed areas a minimum of two times per day or more as necessary.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Water is applied to disturbed areas a minimum of two times per day or more as necessary.
17	<u>AQ-10</u>	Haul vehicles transporting soil into or out of the Project site shall be covered. On-site vehicles shall be limited to a speed which minimizes dust emissions on unpaved roads.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	On-site vehicles are limited to a speed which minimizes dust emissions and vehicles transporting soil are covered.
18	<u>AQ-11</u>	Prior to commencement of construction activities, a publicly visible sign with the telephone number and name of the person (construction contractor) to contact regarding dust complaints shall be posted at the northern and southern ends of the Project site. The construction contractor shall respond and take corrective action within 24 hours of being contacted. The	Prior to and during construction	Construction Contractor	County of Tehama	Prior to and consistently throughout construction	Name and telephone number of construction contractor and TCAPCD contact is posted on a publicly visible sign. Construction

Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure	Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria
		telephone number of the TCAPCD contact shall also be visible on the posted sign to ensure compliance with TCAPCD District Rule 4:1 and 4:24.					contractor responds and takes corrective action within 24 hours of being contacted.
19	<u>AQ-12</u>	All visibly dry, disturbed soil surface areas of operation shall be treated with a dust palliative agent and/or watered to minimize dust emissions.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Dry, disturbed soil surface areas are treated with a dust palliative agent and/or water.
20	<u>AQ-13</u>	Existing roads and streets adjacent to the Proposed Project site shall be cleaned at least once per day unless conditions warrant a greater frequency.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Existing roads and streets adjacent to the Project site are cleaned at least once per day.
21	<u>AQ-14</u>	Haul roads shall be sprayed down at the end of the work shift on a daily basis to form a thin crust. This application of water shall be in addition to the minimum rate of application.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Haul roads are sprayed down daily at the end of the work shift, in addition to minimum rate of application.
22	<u>AQ-15</u>	Construction workers shall park in designated construction staging areas developed for the Proposed Project to help reduce dust emissions.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Construction workers park in designated staging areas.
23	<u>AQ-16</u>	Soil pile surfaces on the construction site shall be moistened if dust is being emitted from the pile(s). Adequately secured tarps, plastic or other material shall be used to cover the soil piles to further reduce dust emissions.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	If dust is emitted, soil pile surfaces are moistened and adequately secured tarps, plastic or other material is used to cover soil piles.
BIOLOGICAL RESOURCES – Valley Oak/Grassland Association							
24	<u>BIO-1</u>	Highly visible ESA fencing shall be placed along the limits of work to protect adjacent Valley oak/grassland association. Fencing shall be maintained in good condition for the duration of construction activities.	Prior to and During Construction	Construction Contractor	County of Tehama	Prior to and consistently throughout construction	Highly visible ESA fencing is placed along the limits of work and



Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure	Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria																												
							is maintained in good condition.																												
25	BIO-2	Staging area, access routes, and construction areas shall be located outside of Valley oak/grassland areas to the maximum extent.	Prior to and During Construction	Construction Contractor	County of Tehama	Prior to and consistently throughout construction	Staging area, access routes, and construction areas are located outside of Valley oak/grassland areas to the maximum extent.																												
26	BIO-3	<p>Following completion of the new bridge all temporary impact and/or otherwise disturbed areas shall be restored to preconstruction contours (if necessary) and revegetated with a native seed mix. A proposed seed mix is provided below in Table A: Native Seed Mix. Invasive exotic plants shall be controlled to the maximum extent.</p> <table border="1" data-bbox="373 930 1003 1404"> <caption>Table A: Native Seed Mix</caption> <thead> <tr> <th>Scientific Name</th> <th>Common Name</th> <th>Rate (Lbs./Acre)</th> <th>Minimum Percent Germination</th> </tr> </thead> <tbody> <tr> <td><i>Artemisia douglasiana</i></td> <td>Mugwort</td> <td>2.0</td> <td>50</td> </tr> <tr> <td><i>Bromus carinatus carinatus</i></td> <td>California brome</td> <td>5.0</td> <td>85</td> </tr> <tr> <td><i>Elymus trachycaulus</i></td> <td>Slender wheatgrass</td> <td>2.0</td> <td>60</td> </tr> <tr> <td><i>Elymus X triticum</i></td> <td>Regreen</td> <td>10.0</td> <td>80</td> </tr> <tr> <td><i>Eschscholzia californica</i></td> <td>California poppy</td> <td>2.0</td> <td>70</td> </tr> <tr> <td><i>Hordeum brachyantherum</i></td> <td>California barley</td> <td>2.0</td> <td>80</td> </tr> </tbody> </table>	Scientific Name	Common Name	Rate (Lbs./Acre)	Minimum Percent Germination	<i>Artemisia douglasiana</i>	Mugwort	2.0	50	<i>Bromus carinatus carinatus</i>	California brome	5.0	85	<i>Elymus trachycaulus</i>	Slender wheatgrass	2.0	60	<i>Elymus X triticum</i>	Regreen	10.0	80	<i>Eschscholzia californica</i>	California poppy	2.0	70	<i>Hordeum brachyantherum</i>	California barley	2.0	80	Post Construction	County Biologist	County of Tehama	Following Construction	Temporary impact and/or otherwise disturbed areas are restored to preconstruction contours and revegetated with a native seed mix. Invasive exotic plants are controlled to the maximum extent.
Scientific Name	Common Name	Rate (Lbs./Acre)	Minimum Percent Germination																																
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Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure				Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria
		<i>Lupinus bicolor</i>	Bicolored lupine	4.0	80					
27	BIO-4	The removal of riparian vegetation within the Valley oak/grassland association and permanent impacts to wetlands shall be accomplished using one of the following methods, or by using a combination of methods, contingent upon approval by the CDFW, ACOE, and RWQCB: <ul style="list-style-type: none"> •Preservation, creation, and/or restoration of the impacted resources at a minimum ratio of 3:1. This work shall occur solely within the Project impact area; •Purchase of credits at an approved mitigation bank at a minimum 1:1 mitigation ratio; and, •All mitigation lands shall be protected in perpetuity through recordation of a conservation easement or equivalent method. 				Post Construction	County Biologist	County of Tehama	Following Construction	Removal of riparian vegetation and permanent impacts to wetlands are accomplished by one (or combination) of the following, contingent upon approval by the CDFW, ACOE, and RWQCB: <ul style="list-style-type: none"> •Preservation, creation, and/or restoration of the impacted resources at a minimum ratio of 3:1. This work shall occur solely within the Project impact area; •Purchase of credits at an approved mitigation bank at a minimum 1:1 mitigation ratio; and, •All mitigation lands shall be protected in perpetuity through recordation of a conservation easement or equivalent method.
BIOLOGICAL RESOURCES - Bats										

Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure	Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria
28	<u>BIO-5</u>	Construction activities that could affect roosting bats, as determined by a qualified biologist, shall be conducted during daylight hours to avoid disturbing bats potentially utilizing the bridge structure or trees at night.	During Construction	County Biologist / Construction Contractor	County of Tehama	Consistently throughout construction	Construction activities that could affect roosting bats are conducted during daylight hours.
29	<u>BIO-6</u>	Demolition of the bridge shall occur only after any bats roosting in the crevice and other day roost habitat have been humanely evicted: <ul style="list-style-type: none"> •To avoid impacts to non-volant pups or torpid adult bats, eviction must occur between March 1st through April 15th, and August 31st through October 15th; •A qualified bat biologist possessing a Memorandum of Understanding with the California Department of Fish and Wildlife and experience with humane bat eviction and exclusion shall either supervise the installation of, or install one-way exits at the roost cavity openings. These shall be installed at least 14 days prior to demolition and shall remain in place 10 to 14 days, followed by a survey to determine effectiveness. If all bats have been safely evicted, the crevices shall be sealed with suitable materials (expanding foam, backer rod, mesh, etc.) sufficient to remain until demolition; •Demolition shall take place any time after bats have been successfully humanely evicted; however, if demolition will not occur until after 180 days after eviction, a biologist shall conduct an inspection of the blockage materials to ensure they have remained effective. If materials have not remained in the roost crevices, surveys and/or eviction may need to be repeated. 	During Construction (Prior to Bridge Demolition)	County Biologist / Construction Contractor	County of Tehama	Prior to and during demolition of the bridge	Demolition of the bridge occurs only after any roosting bats have been humanely evicted.
30	<u>BIO-7</u>	In-kind replacement habitat (e.g., creative habitat) consistent with the amount of habitat with evidence of use by bat colonies shall be provided on the new bridge in consultation with an experience bat biologist possessing a Memorandum of	Post Construction	County Biologist	County of Tehama	During and Following construction of the new bridge	In-kind replacement habitat is provided on the new bridge in consultation with qualified bat biologist.

Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure	Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria
		Understanding with the California Department of Fish and Wildlife and experience designing bat habitat.					
31	<u>BIO-8</u>	Demolition of the old bridge shall not occur until after the new bridge is completed and replacement bat habitat has been installed.	During Construction	County Biologist / Construction Contractor	County of Tehama	Prior to demolition of the bridge; following construction of the new bridge	Demolition of the old bridge occurs after the new bridge is completed and replacement bat habitat is installed.
BIOLOGICAL RESOURCES – Tricolored Blackbirds							
32	<u>BIO-9</u>	If construction begins during the nesting season (February 1st through August 31st), a survey for nesting tricolored blackbirds shall be conducted in the BSA and within a 100-foot radius by a qualified biologist. The survey shall be conducted a maximum of 14 days prior to the commencement of construction. The survey area may be decreased due to property access constraints. If no active nests are found, then no further action is warranted.	Prior to Construction	County Biologist	County of Tehama	Prior to construction	If construction begins between February 1st and August 31st, a survey is conducted for nesting tricolored blackbirds in and within 100-foot radius of BSA.
33	<u>BIO-10</u>	If nesting tricolored blackbirds are found within 100 feet of the BSA during the survey, a setback of 100 feet from nesting areas shall be established and marked with ESA fencing. ESA fencing shall be maintained during the nesting season until construction is complete or the young have fledged, as determined by a qualified biologist.	Prior to and During Construction	County Biologist / Construction Contractor	County of Tehama	Prior to and during construction	ESA fencing is used and maintained to establish 100 feet setback from nesting areas.
34	<u>BIO-11</u>	Alternatively, the setback (if required) may be reduced if a qualified biologist is present to monitor the nest(s) when construction begins. If the biologist determines nesting is not affected by construction activities with the reduced setback, work can proceed. If it is determined that construction activities are adversely affecting the nesting birds with the reduce setback, all construction within 100 feet of a nest shall be halted until the biologist can establish an appropriate setback.	Prior to and During Construction	County Biologist / Construction Contractor	County of Tehama	Prior to and during construction	A setback is reduced only if a qualified biologist is present to monitor the nest. If adverse effects occur to the nesting birds, construction within 100 feet of the nest is halted.

Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure	Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria
35	<u>BIO-12</u>	Worker environmental awareness training shall be conducted by a qualified biologist for all construction personnel. This training shall instruct workers to recognize tricolored blackbirds and their habitat(s).	Prior to Construction	County Biologist	County of Tehama	Prior to Construction	Worker environmental awareness training is conducted for all construction personnel
36	<u>BIO-13</u>	All area temporarily disturbed during Project construction activities shall be restored at Project completion using a native seed mix as shown above in Table A.	Post Construction	County Biologist / Construction Contractor	County of Tehama	Following construction	All area temporarily disturbed during construction is restored using native seed mix.
BIOLOGICAL RESOURCES – Swainson’s Hawk							
37	<u>BIO-14</u>	If work begins between February 1st and August 31st, an early season preconstruction survey for nesting Swainson’s hawks shall be conducted in the BSA and immediate vicinity (an approximately 0.25-mile radius) by a qualified biologist when tree foliage is relatively sparse and nests are easy to identify. A second preconstruction survey for nesting Swainson’s hawks shall be conducted in the BSA and immediate vicinity (an approximately 0.25-mile radius) by a qualified biologist no more than 14 days prior to initiation of earthmoving activities.	Prior to Construction	County Biologist	County of Tehama	Prior to construction	If construction begins between February 1st and August 31st, an early season preconstruction survey and a second preconstruction survey (14 days prior to the initiation of earthmoving activities) for nesting Swainson’s hawks are conducted in the BSA and immediate vicinity (approximately 0.25-mile radius).
38	<u>BIO-15</u>	If nesting Swainson’s hawks are found within the survey area, a qualified biologist shall evaluate the potential for the Project to disturb nesting activities. California Department of Fish and Wildlife (CDFW) shall be contacted to review the evaluation and determine if the Project can proceed without adversely affecting nesting activities. CDFW shall also be consulted to establish protection measures such as buffers. Disturbance of active nest shall be avoided until it is determined by a qualified biologist that nesting is complete and the young have fledged. If work is	Prior to and During Construction	County Biologist	County of Tehama	Prior to and during construction	If nests are found, an evaluation for the potential of Project activities to disturb nesting activities is conducted and CDFW is contacted to review the evaluation, to determine if the

Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure	Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria
		allowed to proceed, at a minimum, a qualified biologist shall be onsite at the commencement of construction activities during the nesting season to monitor nesting activity. The monitor shall have the authority to stop work if it is determined the Project is adversely affecting nesting activities.					Project can proceed without adversely affecting nesting activities, and to establish buffers. Activities disturbing nests are avoided until young have fledged and a qualified biologist is on-site to monitor nesting activity.
39	BIO-16	Worker environmental awareness training shall be conducted by a qualified biologist for all construction personnel. This training instructs workers to recognize Swainson's hawks and their habitat(s).	Prior to Construction	County Biologist	County of Tehama	Prior to construction	Worker environmental training is conducted for all construction personnel.
40	BIO-17	Highly visible ESA fencing shall be placed along the limits of work to prevent unnecessary encroachment into adjacent areas. Fencing shall be maintained in good condition for the duration of construction activities.	Prior to and During Construction	Construction Contractor	County of Tehama	Prior to and during construction	Highly visible ESA fencing is placed along the limits of work and is maintained in good condition.
BIOLOGICAL RESOURCES – Osprey							
41	BIO-18	If possible, all trees that will be impacted by Project construction shall be removed during the non-nesting season (between September 16th through February 1st), to avoid take of a nest or bird. If this is not possible, a survey for nesting osprey shall be conducted in the BSA and within a 500-foot radius by a qualified biologist. The survey shall be conducted a maximum of 14 days prior to the start of construction. The survey area may be decreased due to property access constraints, etc.	Prior to Construction	County Biologist	County of Tehama	Prior to construction	All trees impacted by the Project are removed between September 16th and February 1st. If not possible, a survey for nesting osprey is conducted, by a qualified biologist, in and within 500-feet of the BSA. The survey is conducted a maximum

Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure	Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria
							of 14 days prior to the start of construction.
42	<u>BIO-19</u>	If nesting osprey are found within 500 feet of the BSA, a qualified biologist shall evaluate the potential for the Proposed Project to disturb nesting activities. The evaluation criteria shall include, but are not limited to, the location/orientation of the nest in the nest tree, the distance of the nest from the BSA, and line of sight between the nest and the BSA.	Prior to Construction	County Biologist	County of Tehama	Prior to construction	If nesting osprey are found, an evaluation for the potential to disturb nesting activities should be conducted.
43	<u>BIO-20</u>	CDFW shall be contacted to review the evaluation and determine if the Project construction can proceed without adversely affecting nesting activities.	Prior to Construction	County Biologist	County of Tehama	Prior to construction	CDFW is contacted to review the evaluation and determines if construction can proceed.
44	<u>BIO-21</u>	If work is allowed to proceed, a qualified biologist shall be on-site weekly during construction activities that occur in the breeding season to monitor nesting activity. The biologist shall have the authority to stop work if it is determined that the Project is adversely affecting nesting activity.	Prior to Construction	County Biologist	County of Tehama	Prior to and during construction	Qualified biologist is on-site weekly to monitor nesting activities. The biologist has the authority to stop construction if adverse effects on nesting activity occur.
BIOLOGICAL RESOURCES – Pacific Pond Turtle							
45	<u>BIO-22</u>	Prior to the start of construction activities in the Sacramento River, the reach of the river within the BSA shall be surveyed by a qualified biologist for the presence of Pacific pond turtles. If Pacific pond turtles are observed in the BSA, they shall, in coordination with CDFW, be relocated outside of the work area by a qualified biologist.	Prior to Construction	County Biologist	County of Tehama	Prior to construction within Sacramento River	A survey is conducted, by a qualified biologist, for the presence of Pacific pond turtles. Any observed Pacific pond turtles within the BSA are relocated in coordination with CDFW.
46	<u>BIO-23</u>	Worker environmental awareness training shall be conducted by a qualified biologist for all construction personnel. This training	Prior to Construction	County Biologist	County of Tehama	Prior to construction	Worker environmental awareness training is

Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure	Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria
		instructs workers to recognize Pacific pond turtles and their habitat(s).					conducted for all construction personnel.
47	<u>BIO-24</u>	Areas temporarily disturbed during construction shall be revegetated with the proposed seed mix specified above in Table A.	Post Construction	County Biologist / Construction Contractor	County of Tehama	Following construction	Temporarily disturbed areas are revegetated with the proposed seed mix.
BIOLOGICAL RESOURCES – Valley Elderberry Longhorn Beetle							
48	<u>BIO-25</u>	Prior to initiation of construction, the limits of all construction, access roads, staging areas, and any other ground disturbing activities, shall be staked. The staked areas shall be inspected by a qualified biologist. Based on this inspection, additional refinements to construction areas shall be performed to ensure a minimum 20-foot setback from the dripline of all elderberry plants.	Prior to Construction	County Biologist	County of Tehama	Prior to construction	Construction limits are staked and inspected by a qualified biologist. A minimum 20-foot setback from the dripline of all elderberry shrubs is ensured.
49	<u>BIO-26</u>	Once the final limits of construction are set, highly visible ESA fencing shall be installed at the 20-foot setback around the perimeter of each elderberry plant or plant group (for example in the vicinity of the BLM access road which threads through the planted elderberry area). ESA fencing shall consist of highly visible construction fencing or equivalent, and shall be maintained until construction is complete. A qualified biologist shall be present during installation of fencing. The approximate location of ESA fencing is shown in Figure 4: Elderberry Locations and ESA Fencing.	Prior to Construction	County Biologist	County of Tehama	Prior to and during construction	Highly visible ESA fencing is installed at the 20-foot setback perimeter around each elderberry plant or plant group. A qualified biologist is present during installation of fencing and fencing is maintained throughout construction.
50	<u>BIO-27</u>	Signs shall be erected every 50 feet along the edge of the avoidance area with the following information posted: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment."	Prior to construction	County Biologist	County of Tehama	Prior to and during construction	Signs reading "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by

Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure	Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria
		The signs shall be clearly readable from a distance of 20 feet and shall be maintained for the duration of construction.					the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment” are erected every 50 feet along the edge of the avoidance area and are clearly visible from a distance of 20 feet. Signs are maintained for the duration of construction.
51	BIO-28	Employee awareness training shall be provided for the contractor to emphasize the need to avoid damaging elderberry plants and the possible penalties for not complying with these requirements.	Prior to Construction	County Biologist	County of Tehama	Prior to construction	Employee awareness training is provided for the contractor.
52	BIO-29	A qualified biologist shall periodically inspect the construction area to assure that the Project is not affecting any elderberry plants.	During Construction	County Biologist	County of Tehama	Periodically throughout construction	A qualified biologist periodically inspects the construction area.
53	BIO-30	No insecticides, herbicides, fertilizers, or other chemicals that might harm Valley Elderberry Longhorn Beetle or elderberry plants shall be used within 100 feet of any elderberry plant with stems measuring greater than 1-inch in diameter.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	No insecticides, herbicides, fertilizers, or other chemicals that may harm Valley Elderberry Longhorn Beetle or elderberry plants are used within 100 feet of any elderberry plant.
54	BIO-31	Any damage occurring within the elderberry buffer areas (within 100 feet of the elderberry plants) shall be restored and	Post Construction	County Biologist	County of Tehama	Following construction	Restoration and revegetation of any areas damaged within

Monitoring Item Number	Initial Study Mitigation Measure	Mitigation Measure	Timing	Implementing Party	Monitoring Party	Frequency And Duration of Monitoring	Performance Criteria
		revegetated with appropriate native species at the completion of construction.					100 feet of elderberry plants.
55	BIO-32	If a minimum 20-foot setback from the dripline of all elderberry plants in the BSA cannot be maintained for all Project activities, USFWS shall be contacted and additional mitigation measures may be required.	Prior to and During Construction	County Biologist	County of Tehama	Consistently throughout construction	USFWS is contacted if a minimum 20-foot setback from elderberry plants cannot be maintained.
BIOLOGICAL RESOURCES - Sacramento River Winter-Run Chinook Salmon, Central Valley Spring-Run Chinook Salmon, Southern DPS of North American Green Sturgeon, and Central Valley Steelhead							
56	BIO-33	In-water work shall be limited to the period between May 15th to September 30th during the first construction season, and during the period of late March through mid-September during the second construction season. The spring/summer in-water work window would avoid in-water work during high winter flows and minimize potential adverse effects to water quality. Any work occurring outside of the May 15 to September 30th period would be limited to construction site clean-up, deck work on the new bridge structure, and those activities that can be accomplished outside of the active channel, unless other activities are authorized by CDFW and NMFS based on a determination that due to weather conditions and water levels, salmonids are unlikely present.	During Construction	County Biologist / Construction Contractor	County of Tehama	During the first construction season between May 15th and September 30th; During the second construction season between late March through mid-September	In-water work is limited between May 15th to September 30th during the first construction season, and during the period of late March through mid-September during the second construction season.
57	BIO-34	Anti-spawning mats shall only be utilized during the first construction season. The mats shall be installed between March 1st and April 15th to avoid effects to winter-run chinook that could utilize the small area of spawning habitat located downstream of the bridge. Installation shall be monitored by a qualified fisheries biologist.	During Construction	County Biologist / Construction Contractor	County of Tehama	During the first construction season	Anti-spawning mats are only used during March 1st and April 15th of the first construction season.

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58	<u>BIO-35</u>	Anti-spawning mats shall be removed between October 15th and October 30th (of the first construction season), which is after the spawning period for the winter-run salmon. Removal shall be monitored by a qualified fisheries biologist.	During Construction	County Biologist / Construction Contractor	County of Tehama	During the first construction season	Anti-spawning mats are removed between October 15th and October 30th of the first construction season.
59	<u>BIO-36</u>	Anti-spawning mats shall be monitored on a weekly basis, by a qualified fisheries biologist, and maintained in proper functioning condition (i.e., secured to substrate without holes or establishment of spawning gravels on top of the mats). Should the anti-spawning mats not be functioning properly, all percussive construction work shall cease until the mats have been restored to proper functioning condition.	During Construction	County Biologist / Construction Contractor	County of Tehama	Weekly throughout the first construction season	Anti-spawning mats are monitored weekly by a qualified fisheries biologist. If anti-spawning mats do not function properly, all percussive construction work ceases until mats are restored.
60	<u>BIO-37</u>	Temporary gravel work pads shall be constructed on either end of the temporary work trestles to minimize the length of the trestles and, therefore, the number of piles required to support the trestles, which would result in less pile driving and associated acoustic impacts.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Temporary gravel work pads are installed on either end of temporary work trestles.
61	<u>BIO-38</u>	Gravel used for the temporary work pads shall consist of 1- to 4-inch diameter uncrushed, washed and rounded river rock (aka spawning gravel) and shall meet the Caltrans Gravel Cleanliness Specification No. 85. The stable layer that would need to be placed for the gravel approaches shall consist of the cleanest possible materials (i.e., metal sheets similar to aircraft landing mats). If unclean materials such as dirt need to be used, they shall be enveloped in geotextile fabric over the clean gravel to contain the material, and allow for a more complete and clean gravel removal from the river.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Temporary work pads consist of 1- to 4-inch diameter uncrushed, washed and rounded river rock and meets the Caltrans Gravel Cleanliness Specification No. 85. The stable layer that would need to be placed for the gravel approaches consists of the cleanest possible

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							materials. Unclean materials are enveloped in geotextile fabric.
62	<u>BIO-39</u>	Following completion of construction, the bottom 1 foot of gravel shall be left in the channel to avoid impacts to the natural bed of the river and to provide a source of suitable spawning gravel to be dispersed by natural flows in the river.	Post Construction	Construction Contractor	County of Tehama	Following construction	The bottom 1 foot of gravel is left in the channel.
63	<u>BIO-40</u>	If the temporary CIDH casing is installed in free standing water, water trapped inside the casing shall be inspected by a qualified fishery biologist, prior to the next step in CIDH pile construction immediately following embedment of the temporary casing in the stream bed to ensure that no salmonids or sturgeon have been trapped within the casing (3/32-inch wire mesh would be installed on the bottom of the CIDH casing to prevent entrapment of salmonids or sturgeon inside the casing). Any trapped salmonids or sturgeon shall be removed and returned to the river. The fishery biologist shall note the number and condition of individuals trapped, the number of individuals relocated, and the date and time of collection and relocation. One or more of the following NMFS-approved capture techniques shall be used: dip net, seine, throw net, minnow trap, or hand. Electro fishing may be used if NMFS has reviewed the biologist's qualifications and provided written approval. The fishery biologist shall be empowered to halt construction activity and to recommend measures for avoiding adverse effects to salmonids and their habitats.	During Construction	County Biologist	County of Tehama	During construction	Water trapped inside the temporary CIDH casing is inspected by a qualified biologist to ensure no salmonids or sturgeon have been trapped within the casing. Any trapped salmonids or sturgeon are recorded (including the number and condition of individuals, and date and time of collection and relocation), removed and returned to the river.
64	<u>BIO-41</u>	Any water to be removed from the CIDH casings shall be pumped into settling basins on the bank with no return drainage to the river or into trucks for off-site disposal.	During Construction	County Biologist / Construction Contractor	County of Tehama	During construction	Water removed from CIDH casings is pumped into settling basins on the bank with no return drainage to the river or

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							into trucks for off-site disposal.
65	BIO-42	Measures consistent with the current Caltrans' Construction BMPs Manual (including the SWPPP and WPCP Manuals) shall be implemented to minimize effects to the winter-run chinook and its critical habitat resulting from erosion, siltation, and other water quality impacts during and after construction.	During Construction	County Biologist / Construction Contractor	County of Tehama	Consistently throughout and post construction	Measures consistent with current Caltrans' Construction BMPs Manual are implemented.
66	BIO-43	Adequate fish passage within the Sacramento River at the Project site shall be maintained at all times. Approximately 200 feet of river channel width shall remain open for fish passage (total width of the river is approximately 300 to 350 feet). This would allow the opportunity for fish to move away from active work areas and to have unabated passage to and through the Project area.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Adequate fish passage (approximately 200 feet) remains open and maintained at all times.
67	BIO-44	During removal of the deck, heavy tarps or an equivalent debris collection device shall be placed under the bridge to minimize the potential for materials or liquids from falling into the Sacramento River.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction (removal of the deck)	Heavy tarps or equivalent debris collection device is placed under the bridge.
68	BIO-45	All construction activities associated with construction of the new bridge and demolition of the existing bridge, including construction of the temporary gravel work pads, temporary trestles, and temporary falsework, shall be conducted during daylight hours. The exception is minor activities associated with detour maintenance/traffic control, which may be conducted during nighttime hours.	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Construction activities are conducted during daylight hours, except minor activities associated with detour maintenance/traffic control.
69	BIO-46	Permanent loss of Shaded Riverine Aquatic (SRA) habitat, totaling 2.09 acres, shall be compensated at a 3:1 ratio. Accordingly, 6.27 acres of riparian floodplain forest credits shall be purchased at the Fremont Landing Conservation Bank or other NMFS-approved conservation bank to compensate for the loss of 2.09 acres of SRA resulting from implementation of the project.	Post Construction	County Biologist	County of Tehama	Following construction	SRA habitat is compensated at a 3:1 ratio.

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CULTURAL RESOURCES							
70	<u>CULT-1</u>	Archaeological Sites JFB-1, JFB-2 and CA-TEH-1783 shall be protected through implementation of the Environmentally Sensitive Area (ESA) Action Plan which details the procedures for installation, maintenance, and removal of ESA fences. The fences shall be located a minimum of 20 feet from the recorded boundaries of archaeological sites JFB-1, JFB-2 and CA-TEH-1783. All roadwork associated with implementation of the Proposed Project shall be directed away from these sensitive archaeological sites (JFB-1, JFB-2 and CA-THE-1783).	Prior to and During Construction	Archeologist / Construction Contractor	County of Tehama	Consistently throughout construction	Implementation of ESA Action Plan ensures protection of Archaeological Sites JFB-1, JFB-2 and CA-THE-1783, including installation, maintenance, and removal of ESA fences.
71	<u>CULT-2</u>	If deposits of previously undiscovered prehistoric or historic archaeological materials, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable soils, glass, metal, ceramics, wood or similar debris, are discovered during Proposed Project construction activities (including grading, trenching, or other on-site excavations) construction activities within 25 feet of these materials shall be stopped by the construction contractor. A professional archaeologist certified by the Registry of Professional Archaeologists (RPA) shall be retained to evaluate the significance of the find and suggest appropriate identification, collection, and cataloguing procedures of the artifact(s).	During Construction	Archeologist / Construction Contractor	County of Tehama	Consistently throughout construction	If deposits of previously undiscovered prehistoric or historic archaeological materials are discovered during construction activities, all construction activities within 25 feet are stopped. A professional archaeologist is retained to evaluate the discovered materials.
72	<u>CULT-3</u>	If previously undiscovered paleontological resources are uncovered during Proposed Project construction activities (including grading, trenching, or other on-site excavations) construction activities within 25 feet of these materials shall be stopped by the construction contractor. A certified professional archaeologist/paleontologist shall be retained to evaluate the significance of the find and suggest appropriate identification, collection, and cataloguing procedures of the resources.	During Construction	Archeologist / Construction Contractor	County of Tehama	Consistently throughout construction	If deposits of previously undiscovered paleontological resources are discovered during construction activities, all construction activities within 25 feet

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							are stopped. A professional archaeologist is retained to evaluate the discovered resources.
74	<u>CULT-4</u>	If human remains are encountered during construction activities on the Proposed Project site, work within 25 feet of the discovery shall be redirected away from the discovery and the Tehama County Coroner notified immediately. At the same time, an archaeologist shall be retained to evaluate the human remains that have been found. The construction contractor shall advise all of the construction crew working in the area of the discovery to not collect or move any human remains and associated materials. If the human remains are determined to be of Native American origin, the Coroner shall notify the Native American Heritage Commission with 24 hours of discovery and identification. The Native American Heritage Commission shall identify a Native American Most Likely Descendent (MLD) to inspect the site and provide direction and recommendations for the proper treatment of the remains and associated grave goods. Upon completion of the evaluation, a report shall be prepared documenting the methods and results, as well as recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to Tehama County and the Northwest Information Center.	During Construction	Archeologist / County Coroner / Construction Contractor	County of Tehama	Consistently throughout construction	If human remains are encountered during construction activities, all work within 25 feet of the discovery is redirected, the Tehama County Coroner is notified, and an archeologist shall be retained to evaluate the remains. If the remains are determined to be of Native American origin, the Coroner notifies the Native American heritage Commission within 24 hours of discovery and identification.
75	<u>CULT-5</u>	The three prehistoric archaeological cultural resources that have been identified (JFB-1, JFB-2 and CA-THE-1783) in the vicinity of and within the Proposed Project site shall be considered eligible for inclusion in the National Register for the purposes of the Proposed Project. Subsurface testing and/or surface collection	During Construction	Archeologist / Construction Contractor	County of Tehama	Consistently throughout construction	The three identified prehistoric archaeological cultural resources are considered eligible for

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		at these prehistoric archaeological cultural resources shall not be conducted as they have already been identified as an important archaeological resource in the area. The establishment of ESAs as discussed above in Mitigation Measure CULT-1 shall protect these three prehistoric archaeological resources that have been identified in accordance with Section 106 Programmatic Agreement Stipulation VIII.C.3.					inclusion in the National Register. Subsurface testing and/or surface collection are not conducted.
HYDROLOGY/WATER QUALITY							
76	<u>WQ-1</u>	Construction Site BMPs shall be prepared and implemented in compliance with the provisions of Caltrans' Statewide NPDES Permit and any subsequent permit as they relate to construction activities for the proposed Project. Such requirements shall include submission of a Notice of Construction (NOC) to the California Regional Water Quality Control Board Central Valley Region (CRWQCB-CVR) at least 30 days prior to the start of construction, preparation, and implementation of a Stormwater Pollution Prevention Plan (SWPPP), and submission of a Notice of Construction Completion.	Prior to and During Construction	Project Engineer / Construction Contractor	County of Tehama	Prior to and consistently throughout construction	Construction site BMPs are prepared and implemented in compliance with Caltrans' Statewide NPDES Permit and any subsequent permit.
77	<u>WQ-2</u>	Design Pollution Prevention and Treatment Control BMPs for the Project shall be incorporated in accordance with the procedures in the Stormwater Quality Handbooks, Project Planning, and Design Guide. The County shall coordinate with CRWQCB-CVR with respect to feasibility, maintenance, and monitoring of Treatment Control BMPs as set forth in Caltrans' Statewide SWMP.	Prior to and During Construction	Project Engineer / Construction Contractor	County of Tehama	Prior to and consistently throughout construction	Incorporation of Design Pollution Prevention and Treatment Control BMPs.
78	<u>WQ-3</u>	Per standards set forth by the State of California Reclamation Board and FEMA all temporary construction facilities shall be removed from the floodplain during flood seasons.	During Construction	Project Engineer / Construction Contractor	County of Tehama	During construction flood seasons	Temporary construction facilities are removed from the floodplain during flood seasons.

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79	<u>WQ-4</u>	The Project proponent, during construction and post-construction activities, shall implement the suggested minimization, avoidance, and/or mitigation measures that have been identified in the Natural Environment Study prepared for the proposed Project in April 2014. Such measures to be implemented would ensure that aquatic habitat disturbed within the Project boundary would be mitigated for and would ensure that surface and groundwater quality in the area is not impacted.	During and Post Construction	Project Engineer / Construction Contractor	County of Tehama	Consistently throughout and following construction	Implementation of suggested minimization, avoidance, and/or mitigation measures that have been identified in the Natural Environment Study.
80	<u>WQ-5</u>	<p>The Project proponent shall implement the following measures to reduce impacts caused by scour due to implementation of the proposed Project:</p> <p>Minimum Soffit Elevation: The Jellys Ferry Road Bridge over the Sacramento River and the Overflow No. 2 Bridge shall be designed to meet the minimum soffit elevations recommended by Caltrans and FHWA in the location of the proposed Project. The minimum soffit elevation of a bridge over the Sacramento River meeting the recommendations of Caltrans and FHWA is 352.0 feet North American Vertical Datum of 1988 (NAVD-88). This represents the water surface elevation of the Standard Design Flood (50-year flood) plus 3.0 feet of clearance for drift. The minimum soffit elevation of a bridge over the north overflow meeting the recommendations of Caltrans and FHWA is 353.8 feet NAVD-88. All piers of the Overflow No. 2 Bridge shall be designed considering potential scour to an elevation of 331.3 feet NAVD-88.</p> <p>Pier Scour: Piers 2 and 3 of the new Jellys Ferry Road Bridge over the Sacramento River channel shall be designed considering potential scour to an elevation of 285.1 feet NAVD-88. Piers 4, 5, and 6 of the Jellys Ferry Road Bridge shall be designed considering potential scour to an elevation of 313.8</p>	Prior to and During Construction	Project Engineer	County of Tehama	Prior to and consistently throughout construction	Implementation of the following measures: minimum soffit elevation recommendations, pier scour recommendations, abutment scour recommendations, and abutment protection recommendations.

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		<p>feet NAVD-88. All piers of the Overflow No. 2 Bridge shall be designed considering potential scour to an elevation of 331.3 feet NAVD-88.</p> <p>Abutment Scour: Abutment 7 of the new Jellys Ferry Road Bridge over the Sacramento River channel shall be designed considering or protected against a total potential scour to an elevation of 325.0 feet NAVD-88. Both abutments of the Overflow No. 2 Bridge over the north overflow channel shall be designed considering or protected against potential scour to an elevation of 339.0 feet NAVD-88. (Notes regarding estimates of potential scour: Potential scour has been estimated using empirical equations presented in FHWA HEC-18. These equations do not consider geotechnical conditions and therefore assume all substrate is erodible. The potential scour estimates identified in the March 2014 Hydrology Report prepared for the proposed Project may be appropriate if a geotechnical investigation identifies material resistant to erosion at higher elevations.)</p> <p>Abutment Protection: Abutment protection shall be installed to reduce the potential for damage to abutments from bank erosion and bank migration. Bank protection shall be designed such that the protection does not represent a new encroachment in the floodplain.</p>					
NOISE							
81	<u>NOI-1</u>	During construction activities, the construction contractor shall ensure that all construction equipment operating near the two identified sensitive receptors (located east and west of the southern portion of the Proposed Project site) are in good working order and that adequate muffler systems are used on the equipment to reduce temporary increases in the ambient noise level. Construction equipment shall be located as far from	During Construction	Construction Contractor	County of Tehama	Consistently throughout construction	Construction equipment operating near the two identified sensitive receptors are in good working order and use adequate muffler systems.



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		the sensitive receptors as possible but still be able to complete the construction activities. If construction equipment needs to operate near the sensitive receptors they shall do so only when necessary and shall be switched off when that particular piece of equipment is not in use. Construction activities shall comply with appropriate noise-related goals, policies, and objectives as presented in the <i>Tehama County General Plan Update 2009-2029</i> as well as Caltrans standards specifications Section 7-1.01I "Sound Control Requirements".					Construction equipment is located as far from the sensitive receptors as possible and is switched off when not in use.