AREA WEST ENVIRONMENTAL, INC.
EST 2000

MEMORANDUM

TO: Richard Simonitch, Public Works Director/Town Engineer
Town of Ross

FROM: Aimee Dour-Smith, Senior Environmental Planner

DATE: March 24, 2025

SUBJECT: Bolinas Avenue Storm Drain Improvements (Phase 2) Project Final Initial Study/ Mitigated Negative Declaration (SCH #2025020047)

In compliance with the California Environmental Quality Act (CEQA), the Town of Ross Public Works Department circulated a Draft Initial Study (IS) and Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for the Bolinas Avenue Storm Drain Improvements (Phase 2) Project (Project) for a 30-day comment period between February 3 and March 7, 2025. The Town of Ross Public Works Department received no comments regarding the circulated document.

Although no comments were received, one revision to the Draft IS/MND has been made to clarify the impact conclusion for water quality in Section 3.10 of the IS/MND. This revision represents a minor change, which does not warrant recirculation of the IS/MND pursuant to CEQA Guidelines Section 15073.5. Recirculation of the IS/MND is required when the document must be *substantially revised* after public notice of its availability has previously been given pursuant to Section 15072, but prior to its adoption. A *substantial revision* is defined as:

1. A new, avoidable significant effect is identified, and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or

2. The lead agency determines that the proposed mitigation measure or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.

Neither of these conditions apply. The minor change to Section 3.10 is shown on the following pages. Deleted text is shown with double strikethrough ~~text~~ and added text is shown in bold underline **text**. The MND conclusion that all of the proposed Project's environmental impacts would be less than significant or reduced to a less-than-significant level through mitigation is unchanged.

The IS/MND, as modified by this errata, and the attached Mitigation Monitoring and Reporting Program (MMRP), constitute the Final IS/MND for Town Council adoption.

3.10. Hydrology/Water Quality

Would the Project:

Question	CEQA Determination
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less than Significant Impact ~~with Mitigation Incorporated~~
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the Project may impede sustainable groundwater management of the basin?	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on- or off-site;	Less than Significant Impact
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	No Impact
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	No Impact
(iv) impede or redirect flood flows?	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	No impact

Impacts and Mitigation Measures

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Operation of the Project would have no impact on surface or ground water quality.

Construction-related activities from the proposed Project (the outfall construction) would occur in areas adjacent to and within San Anselmo Creek that could potentially degrade water quality as a result of construction-related soil disturbance and discharge of construction stormwater. Additionally, fuels and other chemicals used during construction could also degrade the water quality of receiving waters if spilled and entrained into stormwater runoff or dewatering discharges.

The primary stormwater pollutant at construction sites is excess sediment. Excess sediment can cloud the water, which reduces the amount of sunlight reaching aquatic plants, clog fish gills, smother aquatic habitat and spawning areas, and impede navigation in waterways. Sediment also transports other pollutants such as nutrients, metals, and oils and greases. Hazardous materials

associated with construction equipment and practices, such as fuels, oils, antifreeze, coolants, and other substances, could also adversely affect water quality if released to surface waters.

A project that disturbs more than one acre of soil is subject to the State Construction General Permit and requires a Stormwater Pollution Prevention Plan. Since the Disturbed Soil Area for the Project is less than one acre, an ESCP would be required by Marin County Stormwater Pollution Prevention Program (MCSTOPPP 2015). Deploying the ESCP and applying the water quality BMPs (such as use of fiber rolls for reducing erosion on slopes) would minimize water quality impacts during construction. Additionally, prior to in-channel construction activities, the Town would complete the Section 404 and 401 Clean Water Act permitting process and obtain an SAA from CDFW. Conditions of approval outlined in the respective permits could also help alleviate potential water quality impacts resulting from the pipe excavation and outfall construction activities within San Anselmo Creek.

Construction dewatering at the Project site would be required to create dry work areas for the construction of the outfall, which requires that the rock riprap apron be buried (keyed in) to 5 feet below the surface of the creek bed. Sediment or other water pollutants originating from construction equipment, or the surrounding disturbed land could be released with the dewatered water, degrading surface water quality.

As **discussed above and** described in Section 3.6 "Biological Resources", water quality BMPs and water diversion and dewatering methods will be observed ~~under **Mitigation Measure BIO-4** and **BIO-6**, respectively~~, which would minimize the Project's water quality impacts. Consequently, this impact is ***less than significant~~ with mitigation incorporated~~***.

Appendix A – Mitigation Monitoring and Reporting Program

This mitigation monitoring and reporting program lists the identified mitigation measures, implementation schedule, and responsible entities for the Bolinas Avenue Storm Drain Improvement Project, Phase 2 (Project). The Town of Ross (Town) will use this mitigation monitoring and reporting program to ensure that identified mitigation measures, adopted as a condition of Project approval, are implemented appropriately. This monitoring program meets the requirements of CEQA Guidelines Section 14074(d), which mandates preparation of monitoring provisions for the implementation of mitigation assigned as part of project approval or adoption.

Mitigation Implementation and Monitoring

The Town will be responsible for monitoring the implementation of mitigation measures designed to minimize impacts associated with the proposed Project. While the Town has ultimate responsibility for confirming implementation, others may be assigned the responsibility of actually implementing the mitigation. The Town will retain the primary responsibility for ensuring that the proposed Project meets the requirements of this mitigation plan and other permit conditions imposed by participating regulatory agencies.

The Town will designate specific personnel who will be responsible for monitoring implementation of the mitigation that will occur during Project construction. The designated personnel will be responsible for submitting documentation and reports to the Town on a schedule consistent with the mitigation measures and in a manner necessary for demonstrating compliance with mitigation requirements. The designated personnel will have authority to require implementation of mitigation requirements and will be capable of halting or terminating Project construction activities found to be inconsistent with mitigation objectives or Project approval conditions.

The Town and its appointed contractor will be responsible for confirming that construction personnel understand their responsibilities for adhering to the performance requirements of the mitigation plan and other contractual requirements related to the implementation of mitigation as part of Project construction. The following table lists each environmental resource area being affected, the party responsible for implementation of the mitigation measure, and the corresponding monitoring and reporting requirement.

Mitigation Enforcement

The Town will be responsible for enforcing mitigation measures. If alternative measures are identified that would be equally effective in mitigating the identified impacts, implementation of these alternative measures will not occur until agreed upon by the Town.

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
Air Quality	**<u>Mitigation Measure AIR-1: Implement BAAQMD Basic Construction Measures</u>.** To limit dust, criteria pollutants, and precursor emissions associated with construction, the construction contractor shall ensure the following BAAQMD-recommended Basic Construction Measures shall be implemented and included in all contract specifications for components constructed under the proposed project: ▪ All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. ▪ All haul trucks transporting soil, sand, or other loose material off-site shall be covered. ▪ All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. ▪ All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. ▪ Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage	Construction Contractor	Prior to and during construction	Town of Ross: Project inspection

Final Mitigation Monitoring and Reporting Program				
Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	shall be provided for construction workers at all access points. ▪ All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. The contractor shall post a publicly visible sign with the telephone number and person to contact at the Town regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.			
Biological Resources	**<u>Measure BIO- 1: Conduct Preconstruction Special-Status Fish Surveys</u>** One week before the start of construction, a qualified fisheries biologist shall assess the Project site for the presence of special-status fish species based upon current water conditions. If special-status fish species are determined to have the potential for presence in the BSA or are observed within the BSA, avoidance and minimization measures BIO-5 and BIO-7 (described below) must be implemented. If the creek bed is entirely dry, no further measures shall be necessary. Results of the preconstruction survey shall be submitted to NMFS and CDFW.	Qualified Biologist	Prior to and during construction.	Town of Ross Qualified Biologist will prepare a Preconstruction Survey Results Memo

Final Mitigation Monitoring and Reporting Program				
Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
Biological Resources	**<u>Measure BIO-2: Limited Project Work Window, Duration, Disturbance, and Footprint</u>** To minimize impacts to the environment, the Project footprint shall be limited to the minimum amount needed to complete the Project. The duration and amount of construction-related disturbance in the creek channel shall also be limited to the extent practicable. Work in the San Anselmo Creek channel shall be restricted to the period from June 15 to October 15, when stream flow will be lowest and outside of the adult migration, spawning, incubation, larval phase, and smolt outmigration periods of steelhead. Construction shall be restricted to daylight hours to avoid the need for artificial lighting at night, which can attract and disturb fish and wildlife. Environmentally sensitive areas will be avoided during construction. Downed trees, stumps, boulders, and other refuge within aquatic habitat adjacent to the construction site shall remain undisturbed. Thermal refugia (pools) and suitable spawning sites adjacent to the construction site shall also remain undisturbed. Tree removal shall be limited to the minimum necessary to complete the project construction. Silt fencing or flagging will be used to demarcate environmentally sensitive avoidance areas, including high-visibility silt fencing or flagging used to protect trees.	Contractor and Qualified Biologist	Prior to and during construction	Town of Ross: Project inspection
Biological Resources	**<u>Measure BIO-3: Conduct Worker Environmental Awareness Training</u>**	Qualified Biologist	Prior to and during construction	Town of Ross Qualified Biologist will

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	All construction personnel shall attend a mandatory environmental education program delivered by a biologist prior to working on the proposed Project. The training shall include: a description of protected biological resources including identification of special-status species and habitats that may occur within the construction area; an explanation of the status of these species and habitats and their protection under the Endangered Species Act and other laws; the measures to be implemented to conserve listed species and their habitats as they relate to the work site; descriptions of the boundaries within which construction may occur; and an explanation of the mitigation measures and BMPs to be followed during project implementation. If new construction personnel are added to the proposed project, they must receive mandatory training before starting work.			provide training materials and sign-in sheets
Biological Resources	**Mitigation Measure BIO-4: Implement Water Quality Best Management Practices (BMPs)** Before any ground-disturbing activities, the Town or authorized construction contractor shall prepare a Construction Erosion and Sediment Control Plan (ESCP) or equivalent, that includes erosion and sediment control measures and construction waste containment measures to protect waters of the state and U.S. during and after Project construction. The ESCP or equivalent shall include measures to minimize offsite stormwater runoff that might otherwise affect stream habitat and wildlife. The ESCP or equivalent	Construction Contractor	Prior to and during construction	Town of Ross Project inspection.

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	plan would include, at a minimum, the following BMPs, that would be adhered to during Project activities: ▪ No discharge of pollutants from vehicles and equipment cleaning are allowed into storm drains or watercourses. ▪ Construction equipment will be cleaned and inspected prior to use. Vehicle and equipment fueling and maintenance operations must be at least 50 feet away from watercourses. If refueling or servicing of equipment within 50 feet of a watercourse is necessary, secondary containment and absorbent pads will be used. ▪ Stationary equipment located within or adjacent to San Anselmo Creek will be positioned over secondary containment. ▪ Concrete wastes collected in washouts and water from curing operations will be collected and disposed of, and not allowed into watercourses or storm drains. All grindings and asphaltic-concrete waste will be stored within previously disturbed areas absent of habitat and 150 feet, at a minimum, from any aquatic habitat, culvert, or drainage feature. If storage of grindings and asphaltic-concrete waste within 150 feet of San Anselmo Creek is necessary, secondary containment and absorbent pads will be used; in addition, a protective barrier will be installed between the work area and the creek to prevent any spills and run-off from entering the creek.			

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	▪ Sediment control will be implemented. On-site stockpiles will be isolated with silt fence, filter fabric, and/or straw bales/fiber rolls. Erosion, sediment, and material stockpile BMPs will be employed between work areas and the adjacent waterway. No fill or runoff will be allowed to enter waterways at any time. ▪ Hazardous materials will not be stored within 200 feet of San Anselmo Creek.			
	<u>Measure BIO-5: Develop and Implement a Fish Rescue Plan</u> A fish rescue plan shall be developed and implemented by the aquatic biologist in coordination with NMFS and/or CDFW. Individual organisms shall be relocated the shortest distance possible to an adjacent downstream area with sufficient aquatic habitat. Within occupied habitat, capture, handling, exclusion, and relocation activities shall be completed no earlier than 48 hours before construction begins. Before and during dewatering of the construction site, juvenile steelhead and other fishes shall be captured by dip net or seine and then relocated. During fish relocation, all organisms shall be kept in water to the maximum extent possible and captured steelhead shall be kept in cool, shaded, well-aerated water and protected from disturbance and overcrowding until they are released. To avoid predation, two containers shall be used: one for young-of-the-year fish and one for second- or third-year fish.	Contractor	Prior to and during construction	Town of Ross and regulatory agencies will approve Fish Rescue Plan and Qualified Biologist will provide a 'Fish Rescue Memo' that details capture, release and observed mortality.

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	Captured fish shall be relocated out of the Project site into suitable habitat, preferably downstream, to avoid direct mortality and minimize the possible stranding of fish in isolated pools. The relocation site should be as close to the dewatered area as possible while meeting the survival needs (adequate water quality/quantity, cover, and forage) of both the relocated individuals and the fish already inhabiting the relocation site.			
	Measure BIO-6: Prepare and Implement Water Diversion and Dewatering Plan If flowing water is present in the channel, the flow shall be diverted around the work area by creating a temporary diversion to isolate a dry active construction work area. The diversion should not be installed until after fish rescue efforts are complete. The diversion will prevent fish from re-entering the work area until completion of all construction in the creek. The Contractor will prepare and implement a water diversion and dewatering plan. The plan will be approved by the Town. Dewatering may employ cofferdams and pipes or other water diversion techniques, as approved by the Town and regulatory agencies. All activities within the channel shall commence only after appropriate BMPs for dewatering and protecting water quality are in place. The temporary diversion shall be installed as close as possible to the construction area to minimize impacts to the flow of the stream and shall be constructed to ensure a tight seal with the	Contractor	Prior to and during construction	Town of Ross Project inspection for compliance with agency-approved Diversion and Dewatering Plan

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	creek bed to allow for a dry work area and minimize downstream turbidity. Fill material for cofferdams, if used, shall be fully confined with the use of plastic sheeting, sheetpiles, sandbags, or with other nonporous containment methods, such that sediment does not come in contact with stream flow or in direct contact with the natural streambed. All loose fill material for cofferdams shall be completely removed from the channel by October 15. Alternatively, clean gravel or clean crushed stone may be used without plastic sheeting, sandbags, etc. Water shall be directed downstream at an appropriate rate to maintain downstream flows and the outlet of all diversion pipes shall be positioned such that the discharge of water does not result in bank erosion or channel scour and maintains pre-project hydraulic conditions. The length of the pipe shall be the minimum necessary to safely convey the flow through the construction site and shall be placed on the streambed at natural grade. Flows shall be returned to the stream channel immediately downstream of the work area. Immediately upon completion of in-channel work, temporary fills, diversion cofferdams, and other in-channel structures shall be removed in a manner that minimizes disturbance to downstream flows and water quality. Creek diversion shall be limited to the minimum amount of time necessary to support construction activities.			

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
Biological Resources	**<u>Measure BIO-7: Biological Monitor and On-Site Monitoring</u>** The Town shall approve a qualified biologist(s) to provide services for the proposed Project. The biologist(s) shall be on-site during in-water activities, as well as for all designated activities required by the agencies during consultation. The biologist(s) shall keep copies of applicable permits in their possession when on site. Through the Town or their designee, the biologist(s) shall have the authority to stop proposed project activities to avoid take of listed species or if he or she determines that permit requirements are not being fully implemented. The biologist shall monitor construction activities to observe that measures to avoid and minimize impacts to water quality, vegetation communities, aquatic resources, special habitats, and special-status species and their habitats are implemented and shall document and report any issues. The biologist shall be responsible for identifying, monitoring, and maintaining non-disturbance buffers for nesting birds and/or roosting bats. During in-water activities, the biologist shall monitor all activities (e.g., installation and removal of cofferdams and pipes) for the purpose of avoiding and minimizing undue impacts to steelhead and other special-status aquatic species (fish and herpetofauna) and their habitat, and to monitor that the diversion and dewatering devices are functioning properly. An approved aquatic biologist shall also be present for the purpose of removing and relocating any listed species	Contractor	Prior to and during construction.	Town of Ross Qualified Biologist will submit monitoring logs.

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	that were not detected during the fish rescue or could not be removed and relocated prior to construction.			
Biological Resources	**<u>Measure BIO-8: Implement Creek Bed and Bank Protection Measures</u>** The creek bed and banks shall be protected to minimize impacts from temporary construction access and project construction. Native substrates removed during excavations and earthwork shall be stockpiled and returned to the creek bed and banks following project construction as part of the site restoration effort. The creek bed and banks shall be restored to natural and stable conditions following construction. Additional measures include the following: ▪ If riparian vegetation must be cut back, it shall be to the minimum height necessary (no lower than ground level) to promote rapid re-growth. ▪ Downed trees, stumps, boulders, and other basking sites and refuges within aquatic habitat surrounding the project site shall remain undisturbed and any minor, temporary disturbance restored to natural and stable conditions following construction. ▪ All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a day from the work area.	Contactor	Prior to and during construction	Town of Ross Project inspection

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	▪ To prevent harassment, injury, or mortality of sensitive species, no pets shall be permitted on the project site.			
Biological Resources	**Measure BIO-9: Return Temporarily Disturbed Areas to Pre-Project Conditions** Modified or disturbed portions of the stream channel, banks, and riparian areas shall be restored to natural and stable contours (elevations, profile, and gradient). A native grass seed mix shall be applied to areas disturbed by construction, creek access, and contouring, as well as to areas where native soils are used to fill voids in the RSP.	Contractor	Prior to and during construction	Town of Ross: Project inspection
Biological Resources	**Mitigation Measure BIO-10 Conduct Surveys for Special-Status Amphibians and Reptiles.** A focused pre-construction survey of the BSA shall be conducted a maximum of 48 hours prior to the start of construction activities for special-status species within the Project site. The survey shall include a thorough search of potential refugia for frogs and salamanders within the Project site. If California giant salamanders or western pond turtles are observed within the Project site, a biologist shall relocate the individuals the shortest distance possible to habitat unaffected by construction activities and increased Project monitoring may be warranted. If foothill yellow-legged frogs are found, they shall be protected from disturbance, allowed to move out of the Project site on their own, or relocated as per consultation with regulatory agencies.	Qualified Biologist	Prior to and during construction	Town of Ross Qualified Biologist will prepare a Preconstruction Survey Results Memo

Final Mitigation Monitoring and Reporting Program				
Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
Biological Resources	**<u>Mitigation Measure BIO-11: Nesting Bird Surveys and Protection.</u>** A nesting bird survey shall be performed by a qualified biologist within five days prior to the start of construction activities. If there is a lapse in Project-related work of more than seven days, additional surveys shall be conducted unless the work is occurring outside the nesting season (February 15 to August 31). Surveys for nesting birds within and around the Project site shall be conducted by the monitoring biologist regularly during construction. Active nests shall be flagged for avoidance. If active bird nests are found, an adequate setback shall be established around the nest location and construction activities restricted within this no-disturbance zone until the biologist has confirmed that any young birds have fledged and are able to function outside the nest location. Required setback distances for the no-disturbance zone shall be based on input received from the CDFW and may vary depending on species and sensitivity to disturbance. Avian nesting season shall be considered February 15 – August 31 for this Project. This timeframe covers the nesting season of most of the birds expected in the Project vicinity, raptors and non-raptors. Tree removal and vegetation trimming shall occur outside of the nesting season to the extent possible. If work must occur within 250 feet of active raptor or special-status species nests or within 50 feet of active passerine nests, a non-disturbance buffer shall be established at a distance	Qualified Biologist	Prior to and during construction	Town of Ross Qualified Biologist will prepare a Preconstruction Survey Results Memo

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	sufficient to minimize disturbance based on the nest location, topography, cover, the species' sensitivity to disturbance, and the intensity/type of potential disturbance. Active nests found shall be demarcated with flagging and a non-disturbance buffer zone shall be established. The non-disturbance buffer shall be visibly marked to prevent encroachment of construction activities. A qualified biologist may reduce the buffer size based on construction activities and observations of nesting behavior. Active nests shall be monitored by a qualified biologist to determine when the nest is no longer active, and non-disturbance buffers shall remain in place until the nest is no longer active (i.e., either when the young have fledged or the nest has failed). If nesting bird protections will impact construction windows established to protect other listed species (i.e., fish), then the appropriate agencies shall be consulted to establish alternate avoidance measures.			
Biological Resources	**Mitigation Measure BIO-12: Conduct a Preconstruction Roosting Bat Survey Prior to Tree Trimming or Removal.** A qualified biologist shall conduct a preconstruction survey of all trees proposed for removal or trimming within the Project for the presence of bat roosts. Surveys will entail direct inspection of trees, including around the base within piles of leaf litter, or nocturnal surveys (if not conducted during the hibernation period for bats). The survey shall occur no more than 2 weeks prior to the removal or trimming of trees within the Project site. If roosting habitat is present and occupied, then a qualified biologist shall determine the type	Qualified Biologist	Prior to construction	Town of Ross Qualified Biologist will prepare a Preconstruction Survey Results Memo

Final Mitigation Monitoring and Reporting Program				
Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	of roost. If roosting bats are found within the Project outside of the inactive season (November 1 to February 15) and the maternity season (April 1 to September 30), the bats may be excluded from the roost using methods developed by a qualified and experienced biologist in developing and implementing bat mitigation and exclusion plans in coordination with CDFW. If bats are found to be roosting within the Project site during the inactive season or the maternity season, the roost must be avoided. Otherwise, removal of bat roost trees would be conducted in two phases: the tree will be limbed on day 1 and the tree will be removed on day 2.			
Biological Resources	**Mitigation Measure BIO-13: Roosting Bat Protection.** If roosts are found within trees subject to removal, measures shall be taken to avoid, minimize, and/or mitigate impacts to the roost(s) following existing protocols for impacts to bat roosts, such as those outlined in California Bat Mitigation Techniques, Solutions, and Effectiveness (H.T. Harvey & Associates 2004). Active roosts within 100 feet of the Project site that can be avoided shall be flagged and a non-disturbance buffer zone shall be established. The non-disturbance buffer zone shall be visibly marked to prevent encroachment of construction activities. A biologist may reduce the buffer size based on construction activities and observations of roosting behavior. No work shall occur in the buffer until it is determined that the bats have left on their own, or until the end of the maternity season. Active roosts shall be monitored	Contractor and Qualified Biologist	Prior to and during construction	Town of Ross: Project inspection

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	by the biologist. If roosting bat protections will impact construction windows established to protect other listed species (i.e., fish), then the appropriate agencies shall be consulted to establish alternate avoidance measures.			
Cultural and Tribal Cultural Resources	**<u>Mitigation Measure CUL-1: Worker Environmental Awareness and Cultural Respect Training</u>** Prior to excavation or other subsurface disturbance activities, individuals conducting the work will be required to participate in Worker Environmental Awareness and Cultural Respect Training. Training could be provided in conjunction with WEAT for biological resources. The WEAT will include relevant information regarding sensitive cultural resources and Tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP will also describe appropriate avoidance and impact minimization measures for cultural resources and Tribal cultural resources that could be located at the project site and will outline what to do and who to contact if any potential cultural resources or Tribal cultural resources are encountered. Workers will be advised to watch for cultural resource materials, including evidence of precontact cultural resources (freshwater shells, beads, bone tool remnants or an assortment of bones, soil changes including subsurface ash lens or soil darker "midden" in color than surrounding soil, lithic materials such as flakes, tools or grinding rocks, etc.), or historic-era cultural resources	Qualified Archaeologist	Before construction	Town of Ross

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	(railroad-related features such as refuse deposits, structural remains, rails or ties), foundations or walls, structures and remains with square nails, refuse deposits or bottle dumps, often associated with wells or old privies). The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and will discuss appropriate behaviors and responsive actions, consistent with Native American Tribal values.			
Cultural and Tribal Cultural Resources	**Mitigation Measure CUL-2: Inadvertent Discovery of Cultural Resources During Ground-Disturbing Activities** If workers observe any evidence of precontact or historic-era cultural resources during subsurface construction activities (e.g., trenching, grading), all construction activities within a 50-foot radius of the identified potential resource shall cease until a qualified archaeologist evaluates the item for its significance and records the item on the appropriate State Department of Parks and Recreation forms. The archaeologist shall determine whether the item requires further study. If the qualified archaeologist determines the archaeological material to be Native American in nature, the consulting Tribe(s) shall be notified and shall determine if the find is a Tribal Cultural Resource (pursuant to PRC section 21074). If, after the qualified archaeologist conducts appropriate technical analyses, the item is determined to be significant under CEQA, the archaeologist and Tribal representative (if applicable) shall recommend feasible mitigation measures,	Contractor and Qualified Archaeologist	During construction (upon discovery)	Town of Ross Contractor and Qualified Archaeologist will report and document any discovered resources

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	which may include avoidance, preservation in place or other appropriate measure, as outlined in Public Resources Code section 21083.2. Upon the Town's approval of the recommended mitigation measures, the measures shall be implemented. The Town shall fund the costs of the qualified archaeologist and required analysis and shall include this mitigation measure in the construction contract to inform contractors of this requirement.			
Cultural Tribal Cultural Resources	**Mitigation Measure CUL-3: Procedures for Inadvertent Discovery of Human Remains.** In accordance with the California Health and Safety Code, Section 7050.5, and the Public Resources Code 5097.98, regarding the discovery of human remains, if human remains are discovered during construction, all work must immediately cease within 100 feet of the find, and the Marin County Coroner must be contacted. If the Coroner determines that the remains are those of a Native American, the Coroner shall contact the NAHC and subsequent procedures shall be followed, according to State Public Resources Code Sections 5097.9 to 5097.99, regarding notification of the Native American Most Likely Descendant. Following the coroner's and NAHC's findings, the Town and the NAHC-designated Most Likely Descendant shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed.	Contractor and Qualified Archaeologist	During construction (upon discovery)	Town of Ross, Contractor and Qualified Archaeologist will report and follow procedures for discovered human remains

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Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
Tribal Cultural Resources	**<u>Mitigation Measure TCUL-1: Tribal Monitoring During Ground Disturbing Activities at San Anselmo Creek</u>** To minimize the potential for significant impacts to Tribal Cultural Resources, a Tribal monitor shall be present during initial subsurface construction activities (e.g., trenching, grading) within 75 feet of the proposed outfall at San Anselmo Creek. Monitoring would occur during trenching, grading, and excavation for placement of riprap. If precontact and/or Tribal Cultural Resources are identified during the monitoring, procedures described in Mitigation Measures CUL-2 and CUL-3 will be followed. The Town shall fund the costs of the qualified Tribal monitor.	Tribal Monitor	During Construction	Town of Ross
Hazardous Materials	**<u>Mitigation Measure HAZ-1: Conduct Soil Characterization.</u>** Prior to construction, the Project will conduct soil characterization to determine potential for hazardous materials that may be present in the Project site. Analytical results from soil and materials samples will be compared to state and federal standards to evaluate reuse and/or disposal requirements for contaminated soils and materials. If lead or other contaminants are detected at concentrations levels that exceed the regulatory limits, the Project will prepare a Project-specific compliance plan (CCR Title 8, §1532) to address handling, reuse, and disposal of contaminant-impacted materials.	Contractor	Prior to Construction	Town of Ross, Contractor will submit soil characterization results to the Town.

Final Mitigation Monitoring and Reporting Program				
Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
Hazardous Materials	**<u>Mitigation Measure HAZ-2: Implement BMPs for Fire Prevention.</u>** The Town shall ensure that the construction contractor will clear dried vegetation or other materials that could serve as fuel for combustion from construction or building areas. To the extent feasible, the contractor shall keep these areas clear of combustible materials. Construction contractors shall ensure that any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.	Contractor	Prior to and during construction	Town of Ross Project inspection
Transportation	**<u>Mitigation Measure TRAFFIC-1: Prepare and Implement a Traffic Control Plan.</u>** Prior to construction, the contractor will prepare a Traffic Control Plan. The plan will contain, at a minimum, the measures listed below, and will be submitted to the Town for approval. ▪ Prior to and during Project construction, the contractor shall use standard cones and barricades to protect the public from entering the construction work area. The contractor will also install advance warning signs to alert approaching motorists of the work zones consistent with the most recent edition of the California Manual of Traffic Control Devices. The contractor shall provide flaggers as needed to	Contractor	Prior to and during construction	Town of Ross will approve Traffic Control Plan.

Final Mitigation Monitoring and Reporting Program				
Resource Area	**Mitigation Measure**	**Mitigation - Responsible for Action**	**Implementation Timing**	**Mitigation - Responsible for Compliance**
	temporarily hold traffic for staging equipment or construction. ▪ A minimum of one lane on Sir Francis Drake Boulevard will be kept open at all times. ▪ The contractor will maintain access or provide detours for pedestrians and cyclists. ▪ Written notice to each homeowner along Sir Francis Drake Boulevard and business owners adjacent to the Bolinas Avenue and Sir Francis Drake Boulevard intersection shall be provided at least 2 weeks prior to the start of the construction phase. ▪ The contractor will coordinate with the Marin Transit Authority and Golden Gate Transit regarding temporary closure and/or relocation of the existing bus stop. ▪ The contractor will provide posted notice at the bus stop of bus stop disruption and/or relocation per the direction of the Marin Transit Authority and Golden Gate Transit. ▪ The contractor shall provide affected residents with ingress and egress (pedestrian and vehicular) during construction. ▪ Prior to Project construction, the contractor will provide a copy of the approved Traffic Control Plan to local emergency services providers.			