

## **Sump Station Facilities Improvement Project Mitigation Monitoring Plan**

In January 1989, Assembly Bill (AB) 3180 went into effect requiring the City to monitor all mitigation measures applicable to this project and included in the Mitigated Negative Declaration. For this project, mitigation reporting will be performed by the City of Sacramento in accordance with the monitoring and reporting program developed by the City to implement AB 3180.

This Mitigation Monitoring Plan is being prepared for the City of Sacramento Community Development Department, Environmental Planning Services, 300 Richards Boulevard, 3<sup>rd</sup> Floor, Sacramento, CA 95811, pursuant to the California Environmental Quality Act Guidelines, California Public Resources Code 21081.

**Project Name (number):**     **Sump Station Facilities Improvement Project**

**Project Location:**         The proposed project consists of five existing sump stations within the City of Sacramento: Sump 089, Sump 151, Sump 155, Sump 058, and Sump 102. Sump 089 is located near 8357 Beach Lake Road and pumps through the levee into Morrison Creek. Sump 151 is located near 1420 Expo Parkway and pumps through the levee into the American River floodplain. Sump 155 is located near 6007 Camellia Avenue and pumps through the levee into the American River. Sump 058 is located at 1185 Azusa Street and pumps through the levee into Steelhead Creek. Sump 102 is located near 300 Bowman Avenue and pumps through the levee into Natomas East Main Drainage Canal.

**Project Description:**     As mandated by the Sacramento Area Flood Control Agency (SAFCA) and the U.S. Army Corps of Engineers (USACE), sump station outfalls that penetrate and cross major levees within the City of Sacramento are inspected on a five-year cycle. The proposed project entails the complete replacement of the pump discharge pipe for three drainage sump station facilities (Sump 089, Sump 151, and Sump 155) and installation of stairs on the waterside slope for two additional drainage sump station facilities (Sump 058 and Sump 102). The proposed improvements would not alter the overall capacity of the sump station facilities relative to existing conditions.

MITIGATION MONITORING PLAN					
Sump Station Facilities Improvement Project					
Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	Verification of Compliance		
			Initials	Date	
<b>2. Air Quality</b>					
2-1	<i>The proposed project shall comply with all applicable SMAQMD Best Available Control Technology (BACT) determinations and Basic Construction Emission Control Practices (BCECP) in effect at the time of improvement plan approval.</i>	At the time of improvement plan approval	City of Sacramento Community Development Department		
<b>3. Biological Resources</b>					
3-1(a)	<p><i>The following avoidance and minimization measures shall be noted on project improvement plans and implemented within the BSA:</i></p> <ul style="list-style-type: none"> <li>• <i>Removal of trees and riparian vegetation shall be minimized to the extent possible.</i></li> <li>• <i>To protect avoided riparian forest, riparian scrub shrub, retained trees, and other sensitive natural communities, prior to construction, environmentally sensitive area (ESA) fencing or equivalent demarcation approved by the engineer shall be placed along the limits of construction in the BSA to exclude construction activities. Trucks and other vehicles shall not be allowed to park beyond, nor shall equipment be stored beyond, the fencing. Vegetation trimming/mowing or ground-disturbing activities shall not be permitted beyond the fencing.</i></li> <li>• <i>For all sumps, the City shall obtain a Streambed Alteration Agreement from the CDFW in compliance with Fish and Game Code Section 1602. The City and its contractor shall be required to comply with terms of the Agreement and provide any required documentation of proof of compliance to CDFW.</i></li> </ul>	Prior to construction	City of Sacramento Community Development Department	California Department of Fish and Wildlife (CDFW)	
3-1(b)	<p><i>The following avoidance and minimization measures shall be implemented within the BSA:</i></p> <ul style="list-style-type: none"> <li>• <i>The project contractor shall comply with the provisions of Title 9, Chapters 9.31 through 9.35 of the City of Sacramento Code (Grading, Erosion and Sediment Control Ordinance). Code compliance includes preparation of an Erosion and Sediment Control Plan.</i></li> </ul>	During construction activities	Central Valley Flood Protection Board (CVFPB)	CDFW	United States Fish and Wildlife Service (USFWS)

<b>MITIGATION MONITORING PLAN</b>				
<b>Sump Station Facilities Improvement Project</b>				
<b>Mitigation Measure</b>	<b>Reporting Milestone</b>	<b>Reporting / Responsible Party</b>	<b>Verification of Compliance</b>	
			<b>Initials</b>	<b>Date</b>
<ul style="list-style-type: none"> <li>• <i>BMPs to control soil erosion, sediment transport, and runoff pollution shall be implemented during construction per the City’s Administrative and Technical Procedures Manual for Grading and Erosion and Sediment Control (City of Sacramento 2013).</i></li> <li>• <i>Construction activities on the water side of the levee would not occur during the flood season, as determined by the Central Valley Flood Protection Board (CVFPB) – typically November 1 through April 15 or July 15 as specifically determined by the CVFPB for each sump site. The project would adhere to further work period restrictions in applicable permits and requirements from CDFW, USFWS, and the National Marine Fisheries Service (NMFS), unless the applicable permitting agencies approve work window modification.</i></li> <li>• <i>Equipment shall be refueled and serviced at designated construction staging areas. All construction material shall be stored and contained in designated areas located away from aquatic resources to prevent transport of materials into adjacent waterways. Appropriate BMPs shall be installed to collect any discharge, and adequate materials for spill cleanup shall be kept on site. Construction vehicles and equipment shall be properly maintained to prevent contamination of soil or water from external grease and oil or from leaking hydraulic fluid, fuel, oil, and grease.</i></li> <li>• <i>For all sump sites, the City shall obtain a Streambed Alteration Agreement from CDFW in compliance with California Fish and Game Code Section 1602 and an Encroachment Permit permission in compliance with Section 408 of the Clean Water Act from the CVFPB. For Sumps 089 and 155, the City shall obtain approval from USACE for Project coverage under Nationwide Permits, in compliance with Section 404 of the Clean Water Act and a Water Quality Certification from the Central Valley Regional Water Quality Control Board in compliance with Section 401 of the Clean Water Act. The City and its contractor shall be required to comply with terms of all permits and provide any required documentation of proof of compliance to the permitting agencies.</i></li> </ul>		<p>National Marine Fisheries Service (NMFS)</p>		

<b>MITIGATION MONITORING PLAN</b>				
<b>Sump Station Facilities Improvement Project</b>				
<b>Mitigation Measure</b>	<b>Reporting Milestone</b>	<b>Reporting / Responsible Party</b>	<b>Verification of Compliance</b>	
			<b>Initials</b>	<b>Date</b>
3-2(a) <i>Implement Mitigation Measure 3-1(a) above.</i>	See Mitigation Measure 3-1(a).	See Mitigation Measure 3-1(a).		
3-2(b) <i>The following avoidance and minimization measures shall be implemented at Sump 155 and the Lathrop staging area per the USFWS 2017 Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (Desmocerus californicus dimorphus) (VELB):</i> <ul style="list-style-type: none"> <li>• <i>Activities that may damage or kill an elderberry shrub (e.g., trenching, paving, etc.) shall avoid elderberry shrubs by a minimum of 20 feet from the drip-line. Areas within 20 feet of elderberry shrubs at the Lathrop staging area and areas west of the levee access road at Sump 155 shall be designated as ESAs. Construction personnel, equipment, or material storage shall not be allowed within the ESAs. Brightly colored construction fencing shall be installed at least 20 feet from elderberry shrubs to demarcate the ESA at the Lathrop staging area and along the length of the western edge of the levee access road at Sump 155. The fencing shall include signage prohibiting entry by construction personnel. At Sump 155, signage shall prohibit vehicle or equipment parking along the access road within 20 feet of the elderberry shrub.</i></li> <li>• <i>A qualified biologist shall provide training for all contractors, work crews, and any on-site personnel on the status of the VELB, its host plant and habitat, the need to avoid damaging the elderberry shrubs, and the possible penalties for noncompliance.</i></li> </ul>	Prior to and during construction activities	City of Sacramento Community Development Department		
3-3 <i>Implement Mitigation Measure 3-1(b) above.</i>	See Mitigation Measure 3-1(b).	See Mitigation Measure 3-1(b).		
3-4(a) <i>Implement Mitigation Measure 3-1(b) above.</i>	See Mitigation Measure 3-1(b).	See Mitigation Measure 3-1(b).		
3-4(b) <i>The following avoidance and minimization measures shall be implemented at Sump 089:</i> <ul style="list-style-type: none"> <li>• <i>A qualified biologist shall conduct a preconstruction survey for Western Pond Turtle (WPT) within 48 hours prior to the onset of</i></li> </ul>	Within 48 hours prior to the onset of	City of Sacramento Community Development Department		

<b>MITIGATION MONITORING PLAN</b>				
<b>Sump Station Facilities Improvement Project</b>				
<b>Mitigation Measure</b>	<b>Reporting Milestone</b>	<b>Reporting / Responsible Party</b>	<b>Verification of Compliance</b>	
			<b>Initials</b>	<b>Date</b>
<p><i>vegetation removal or ground disturbance. The survey shall cover the waterside of the levee. If a WPT is located during the survey, the biologist shall be given sufficient time prior to construction to relocate the WPT to the closest suitable habitat where individuals will not be affected by construction.</i></p> <ul style="list-style-type: none"> <li><i>If WPT are found during construction, construction activities with potential to harm the individual(s) shall stop and a qualified biologist shall be notified. Construction shall resume when the biologist has either credits as required per the above mitigation options, shall be provided to the Sacramento Community Development Department for review and approval prior to initiation of ground disturbance for any portion of the project site.</i></li> </ul>	<p>vegetation removal or during ground disturbance</p> <p>If found during construction</p>			
<p>3-5 <i>The following measures, based on the Programmatic Biological Opinion between the USACE and USFWS for effects on Giant Garter Snake (GGS) (the Programmatic; USFWS 1997), shall be implemented at Sump 089:</i></p> <ul style="list-style-type: none"> <li><i>A USFWS-approved biologist shall conduct a preconstruction clearance survey within 24 hours prior to construction activities within identified GGS aquatic and adjacent upland habitat. If construction activities stop for a period of two weeks or more, another preconstruction clearance survey shall be conducted within 24 hours prior to resuming construction activity.</i></li> <li><i>All construction activity involving disturbance of GGS habitat shall be restricted to the snake's active season, May 1 through October 1. During this period, the potential for direct mortality is reduced because snakes are expected to move and avoid danger.</i></li> <li><i>In areas where construction is to take place, encourage giant garter snakes to leave the site on their own by dewatering all irrigation ditches, canals, or other aquatic habitat (i.e., removing giant garter snake aquatic habitat) between April 15 and September 30. Dewatered habitat must remain dry, with no water puddles remaining, for at least 15 consecutive days prior to excavating or filling of the habitat. If a site cannot be completely dewatered, netting and salvage of giant garter snake prey items may be necessary to discourage use by snakes.</i></li> </ul>	<p>A pre-construction survey within 24 hours prior to construction activities within identified GGS habitats</p> <p>During construction</p>	<p>City of Sacramento Community Development Department</p> <p>USFWS and CDFW, If GGS encountered during construction</p>		

<b>MITIGATION MONITORING PLAN</b>				
<b>Sump Station Facilities Improvement Project</b>				
<b>Mitigation Measure</b>	<b>Reporting Milestone</b>	<b>Reporting / Responsible Party</b>	<b>Verification of Compliance</b>	
			<b>Initials</b>	<b>Date</b>
<ul style="list-style-type: none"> <li>• <i>Conduct environmental awareness training for all construction personnel.</i></li> <li>• <i>If a live GGS is encountered during construction activities, immediately notify the project's biological monitor, USFWS, and CDFW. The monitor shall stop construction in the vicinity of the snake, monitor the snake, and allow the snake to leave on its own. The monitor shall remain in the area for the remainder of the workday to ensure the snake is not harmed or, if the snake leaves the site, does not return. If the GGS does not leave on its own, the qualified biologist shall contact the USFWS for guidance.</i></li> <li>• <i>Temporary fencing exclusion fencing shall be installed around work area in GGS habitat.</i></li> </ul>				

<b>MITIGATION MONITORING PLAN</b>				
<b>Sump Station Facilities Improvement Project</b>				
			<b>Verification of Compliance</b>	
			<b>Initials</b>	<b>Date</b>
<b>Mitigation Measure</b>	<b>Reporting Milestone</b>	<b>Reporting / Responsible Party</b>		
<p>3-6 <i>A qualified biologist shall conduct Take Avoidance Surveys at Sump 089 in accordance with Appendix D of the Staff Report on Burrowing Owl Mitigation (CDFW 2012). An initial Take Avoidance Survey shall be conducted no less than 14 days prior to initiating ground disturbance activities and a final survey shall be conducted within 24 hours prior to ground disturbance. The preconstruction survey for burrowing owls shall include all potential burrowing owl habitat within 500 feet of the project. Portions of the survey area located on private land shall be surveyed from all publicly accessible areas. If active burrowing owl burrows are found, the following measures shall be implemented at Sump 089:</i></p> <ul style="list-style-type: none"> <li>• <i>During the non-breeding season (September 1 through January 31), the biologist shall establish a 160-foot ESA around the burrow. During the breeding season (February 1 through August 31), the biologist shall establish a 300-foot ESA around the burrow in consultation with CDFW.</i></li> <li>• <i>The size of the ESA may be reduced if the biologist monitors the construction activities and determines that disturbance to the burrowing owl is not occurring. Reduction of ESA size depends on the location of the burrow relative to the proposed disturbance area, project activities during the time the burrow is active, and other project-specific factors.</i></li> <li>• <i>If the burrow is located within the construction zone and it is during the non-breeding season, the burrowing owl shall be passively excluded from the burrow using one-way doors, as described in the Exclusion Plan of Appendix E of the CDFW's 2012 Staff Report on Burrowing Owl Mitigation.</i></li> <li>• <i>If the burrow is located within the construction zone and it is during the breeding season, the burrow owl shall only be passively excluded if it has been confirmed that the owl has not begun egg laying and incubation, the clutch was unsuccessful, or juveniles from the occupied burrows are foraging independently and are capable of independent survival.</i></li> </ul>	<p>Conduct a Take Avoidance survey no less than 14 days prior to initiating ground disturbance activities and a final survey within 24 hours prior to ground disturbance</p>	<p>City of Sacramento Community Development Department</p> <p>CDFW, if active burrowing owl burrows are found</p>		
<p>3-7(a) <i>Implement Mitigation Measure 3-8 below.</i></p>	<p>See Mitigation Measure 3-8.</p>	<p>See Mitigation Measure 3-8.</p>		

MITIGATION MONITORING PLAN				
Sump Station Facilities Improvement Project				
Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
<p>3-7(b) <i>The following measure shall be implemented at each of the sump stations within the BSA and at the proposed staging areas:</i></p> <ul style="list-style-type: none"> <li><i>A qualified biologist shall conduct surveys of the BSA and staging areas for Swainson's hawk in accordance with the 2000 Swainson's Hawk Technical Advisory Committee (TAC) guidelines in the year prior to tree removal. The survey area shall extend 0.25 miles out from the BSA/staging areas. If a Swainson's hawk nest is still active on or within 0.25-mile of the BSA/staging areas at the time of project initiation, protective buffers shall be established around the nest in accordance with CDFW guidance to avoid take.</i></li> </ul>	The year prior to tree removal	City of Sacramento Community Development Department		
<p>3-8 <i>The following measure shall be implemented at each of the sump stations within the BSA and at the proposed staging areas:</i></p> <ul style="list-style-type: none"> <li><i>To minimize effects to nesting birds, trees and shrubs scheduled for removal shall be removed during the non-breeding season, between September 2 and February 14.</i></li> <li><i>A preconstruction survey for nesting birds shall be conducted prior to any work initiated between 15 February and 1 September. A qualified biologist shall conduct the survey within 14 days prior to initiation of construction activities. The survey shall cover areas within 250 feet of the proposed disturbance area for birds of prey and 100 feet of the disturbance area for migratory birds.</i></li> <li><i>If an active nest of a bird of prey, migratory bird, or other protected bird species is discovered, then construction within 250 feet of the nest shall stop until a qualified biologist confirms where work may resume without threat of nest abandonment. The biologist shall establish a minimum 250-foot ESA around nests of a bird of prey. A minimum 100-foot ESA shall be established around nests of migratory or other protected bird species. No construction activity shall be allowed in the ESA until the biologist determines the nest is no longer active or that a smaller ESA shall protect the active nest. Buffer sizes may be adjusted at the discretion of the biologist depending on the species of bird, the location of the nest relative to the proposed disturbance area, the existing level of disturbance, and other site-specific conditions.</i></li> </ul>	<p>Tree and shrub removal shall be limited to September 2 and February 14</p> <p>Pre-construction survey prior to any work initiated between 15 February and 1 September</p>	City of Sacramento Community Development Department		
<p>3-9 <i>Prior to approval of improvement plans, the City's New Growth Manager, serving as the City's HCP Designee, shall be contacted to ensure that the</i></p>	Prior to approval of improvement plans	City Growth Manager		



<b>MITIGATION MONITORING PLAN</b>				
<b>Sump Station Facilities Improvement Project</b>				
<b>Mitigation Measure</b>	<b>Reporting Milestone</b>	<b>Reporting / Responsible Party</b>	<b>Verification of Compliance</b>	
			<b>Initials</b>	<b>Date</b>
<i>requirements of the Natomas Basin Habitat Conservation Plan (NBHCP) are complied with during implementation of improvements within the NBHCP area.</i>				
<b>4. Cultural Resources</b>				
<p><b>4-1</b>    <b>Conduct Cultural Resources and Tribal Cultural Resources Sensitivity and Awareness Training Program Prior to Ground-Disturbing Activities.</b></p> <p><i>The City shall require the project contractor to provide a cultural resources and tribal cultural resources sensitivity and awareness training program (Worker Environmental Awareness Program [WEAP]) for all personnel involved in project construction, including field consultants and construction workers. The WEAP shall be developed in coordination with an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for Archeology, as well as culturally affiliated Native American tribes. The City may invite Native American representatives from interested culturally affiliated Native American tribes to participate. The WEAP shall be conducted before any project-related construction activities begin at the project site. The WEAP shall 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 shall also describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that could be located at the project sites and shall outline what to do and who to contact if any potential cultural resources or tribal cultural resources are encountered. The WEAP shall 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.</i></p>	Prior to ground disturbing activities	City of Sacramento Community Development Department		
<p><b>4-2</b>    <b>Archaeological and Native American Monitoring and the Discovery of Cultural Materials and/or Human Remains.</b></p> <p><i>Prior to authorization to proceed, a Secretary of the Interior-qualified archaeologist shall prepare a Cultural Resources Monitoring Plan. Monitoring shall be required during initial ground-disturbing activities,</i></p>	Prior to authorization to proceed and during initial ground-disturbing activities	City of Sacramento Community Development Department		

MITIGATION MONITORING PLAN				
Sump Station Facilities Improvement Project				
Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
<p>according to a schedule outlined in the Cultural Resources Monitoring Plan. The plan shall include (but not be limited to) the following components:</p> <ul style="list-style-type: none"> <li>• Person(s) responsible for conducting monitoring activities, including an archaeological monitor and a Native American monitor;</li> <li>• Person(s) responsible for overseeing and directing the monitors;</li> <li>• How the monitoring shall be conducted and the required format and content of monitoring reports, including schedule for submittal of monitoring reports and person(s) responsible for review and approval of monitoring reports;</li> <li>• Protocol for notifications in case of encountering cultural resources, as well as methods of dealing with the encountered resources (e.g., collection, identification, curation);</li> <li>• Methods to ensure security of cultural resources sites, including protocol for notifying local authorities (i.e. Sheriff, Police) should site looting and other illegal activities occur during construction.</li> </ul> <p>During the course of the monitoring, the archaeologist and Native American monitor may adjust the frequency – from continuous to intermittent – based on the conditions and professional judgment regarding the potential to impact cultural and tribal cultural resources.</p>				
<p>4-3 <b>In the Event that Tribal Cultural Resources Are Discovered During Construction, Implement Procedures to Evaluate Tribal Cultural Resources and Implement Avoidance and Minimization Measures to Avoid Significant Impacts.</b></p> <p>If archaeological resources, or tribal cultural resources, are encountered in the project area during construction, the following performance standards shall be met prior to continuance of construction and associated activities that may result in damage to or destruction of tribal cultural resources:</p> <ul style="list-style-type: none"> <li>• Each resource will be evaluated for California Register of Historical Resources (CRHR) eligibility through application of established eligibility criteria (California Code of Regulations 15064.636), in consultation with consulting Native American Tribes.</li> </ul>	During construction activities	City of Sacramento Community Development Department  Affiliated Native American Tribes, if resources are found		

<b>MITIGATION MONITORING PLAN</b>				
<b>Sump Station Facilities Improvement Project</b>				
<b>Mitigation Measure</b>	<b>Reporting Milestone</b>	<b>Reporting / Responsible Party</b>	<b>Verification of Compliance</b>	
			<b>Initials</b>	<b>Date</b>
<p><i>If a tribal cultural resource is determined to be eligible for listing on the CRHR, the City will avoid damaging effects to the resource in accordance with California PRC Section 21084.3, if feasible. If the City determines that the project may cause a significant impact to a tribal cultural resource, and measures are not otherwise identified in the consultation process, the following are examples of mitigation capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to the resource. These measures may be considered to avoid or minimize significant adverse impacts and constitute the standard by which an impact conclusion of less-than significant may be reached:</i></p> <ul style="list-style-type: none"> <li><i>i. Avoid and preserve resources in place, including, but not limited to, planning construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.</i></li> <li><i>ii. Treat the resource with culturally appropriate dignity taking into account the Tribal cultural values and meaning of the resource, including, but not limited to, the following:</i> <ul style="list-style-type: none"> <li><i>1. Protect the cultural character and integrity of the resource.</i></li> <li><i>2. Protect the traditional use of the resource.</i></li> <li><i>1. Protect the confidentiality of the resource.</i></li> <li><i>2. Establish permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places.</i></li> <li><i>3. Rebury the resource in place.</i></li> <li><i>4. Protect the resource.</i></li> </ul> </li> </ul> <p><i>Avoidance and preservation in place is the preferred manner of mitigating impacts to tribal cultural resources and archaeological</i></p>				

<b>MITIGATION MONITORING PLAN</b>				
<b>Sump Station Facilities Improvement Project</b>				
<b>Mitigation Measure</b>	<b>Reporting Milestone</b>	<b>Reporting / Responsible Party</b>	<b>Verification of Compliance</b>	
			<b>Initials</b>	<b>Date</b>
<p><i>resources and will be accomplished, if feasible, by several alternative means, including:</i></p> <ul style="list-style-type: none"> <li>• <i>Planning construction to avoid tribal cultural resources, archaeological sites and/ or other resources; incorporating sites within parks, green-space or other open space; covering archaeological sites; deeding a site to a permanent conservation easement; or other preservation and protection methods agreeable to consulting parties and regulatory authorities with jurisdiction over the activity.</i></li> <li>• <i>Recommendations for avoidance of Tribal Cultural Resources and Native American archaeological sites will be reviewed by the City representative, interested culturally affiliated Native American Tribes and other appropriate agencies, in light of factors such as costs, logistics, feasibility, design, technology and social, cultural and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project area to avoid cultural resources, modification of the design to eliminate or reduce impacts to cultural resources or modification or realignment to avoid highly significant features within a cultural resource.</i></li> <li>• <i>Native American Representatives from interested culturally affiliated Native American Tribes will be allowed to review and comment on these analyses and shall have the opportunity to meet with the City representative and its representatives who have technical expertise to identify and recommend feasible avoidance and design alternatives, so that appropriate and feasible avoidance and design alternatives can be identified.</i></li> <li>• <i>If the discovered resource can be avoided, the construction contractor(s), will install protective fencing</i></li> </ul>				

<b>MITIGATION MONITORING PLAN</b>				
<b>Sump Station Facilities Improvement Project</b>				
<b>Mitigation Measure</b>	<b>Reporting Milestone</b>	<b>Reporting / Responsible Party</b>	<b>Verification of Compliance</b>	
			<b>Initials</b>	<b>Date</b>
<p><i>outside the site boundary, including a 100 foot buffer area, before construction restarts. The boundary of a Tribal Cultural Resource or a Native American archaeological site will be determined in consultation with interested culturally affiliated Native American Tribes and such Tribes will be invited to monitor the installation of fencing. Use of temporary and permanent forms of protective fencing will be determined in consultation with Native American Representatives from interested culturally affiliated Native American Tribes.</i></p> <ul style="list-style-type: none"> <li>• <i>The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an “Environmentally Sensitive Area”.</i></li> <li>• <i>Native American Representatives from interested culturally affiliated Native American Tribes and the City representative will also consult to develop measures for long term management of any discovered Tribal Cultural Resources. Consultation will be limited to actions consistent with the jurisdiction of the City and taking into account ownership of the subject property. To the extent that the City has jurisdiction, routine operation and maintenance within Tribal Cultural Resources retaining tribal cultural integrity shall be consistent with the avoidance and minimization standards identified in this mitigation measure.</i></li> </ul> <p><i>To implement these avoidance and minimization standards, the following procedures shall be followed in the event of the discovery of a tribal cultural resource:</i></p> <ul style="list-style-type: none"> <li>• <i>If any tribal archaeological resources or Native American materials, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or Native American architectural remains or articulated or disarticulated human remains are discovered on the</i></li> </ul>				

MITIGATION MONITORING PLAN				
Sump Station Facilities Improvement Project				
Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
<p><i>project site, work shall be suspended within 100 feet of the find (based on the apparent distribution of cultural resources), and the construction contractor shall immediately notify the project's City representative.</i></p> <ul style="list-style-type: none"> <li><i>The City shall coordinate the investigation of the find with a qualified (meeting the Secretary of the Interior's Qualification Standards for Archaeology) archaeologist approved by the City and with one or more interested culturally affiliated Native American Tribes that respond to the City's invitation. As part of the site investigation and resource assessment, the City and the archaeologist shall consult with interested culturally affiliated Native American Tribes to assess the significance of the find, make recommendations for further evaluation and treatment as necessary and provide proper management recommendations should potential impacts to the resources be determined by the City to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the City representative by the qualified archaeologist. These recommendations will be documented in the project record. For any recommendations made by interested culturally affiliated Native American Tribes which are not implemented, a justification for why the recommendation was not followed will be provided in the project record.</i></li> <li><i>The City shall consider management recommendations for tribal cultural resources, including Native American archaeological resources, that are deemed appropriate, including resource avoidance or, where avoidance is infeasible in light of project design or layout or is unnecessary to avoid significant effects, preservation in place or other measures. The contractor shall implement any measures deemed by the City to be necessary and feasible to avoid or minimize significant impacts to the cultural resources. These measures may include inviting</i></li> </ul>				

MITIGATION MONITORING PLAN				
Sump Station Facilities Improvement Project				
Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
<p><i>an interested culturally affiliated Native American Tribe to monitor ground-disturbing activities whenever work is occurring within 100 feet of the location of a discovered Tribal Cultural Resource or Native American archaeological site.</i></p> <ul style="list-style-type: none"> <li><i>If an adverse impact to tribal cultural resources, including Native American archaeological resources, occurs then consultation with interested culturally affiliated Tribes regarding mitigation contained in the Public Resources Code sections 21084.3(a) and (b) and CEQA Guidelines section 15370 shall occur, in order to identify mitigation for the impact.</i></li> </ul>				

MITIGATION MONITORING PLAN				
Sump Station Facilities Improvement Project				
Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
<p>4-4 <b>Implement Procedures in the Event of the Inadvertent Discovery of Native American Human Remains.</b></p> <p><i>If an inadvertent discovery of Native American human remains is made at any time during project-related construction activities or project planning, the City will implement the procedures listed in Mitigation Measure 4-1. The following performance standards shall be met prior to implementing or continuing actions such as construction, that may result in damage to or destruction of human remains: In accordance with the California Health and Safety Code, if human remains are encountered during ground-disturbing activities, the City shall immediately halt potentially damaging excavation in the area of the burial and notify the Sacramento County Coroner and a professional archaeologist to determine the nature of the remains. The Coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or State lands (California Health and Safety Code Section 7050.5[b]). If the Coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (California Health and Safety Code Section 7050[c]). After the Coroner's findings have been made, the archaeologist and the NAHC-designated Most Likely Descendant (MLD), in consultation with the landowner, shall determine the ultimate treatment and disposition of the remains. The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in California PRC Section 5097.9 et seq.</i></p> <p><i>If the human remains are of historic age and are determined to be not of Native American origin, the City will follow the provisions of the California Health and Safety Code Section 7000 (et seq.) regarding the disinterment and removal of non- Native American human remains.</i></p>	<p>During project-related construction activities or project planning</p>	<p>City of Sacramento Community Development Department</p> <p>Sacramento County Coroner</p> <p>Native American Heritage Commission (NAHC), if remains are determined to be Native American</p>		
<p>4-5 <i>Should paleontological resources be identified during any phase of project implementation, the construction manager shall cease operation at the site of the discovery and immediately notify the City of Sacramento Community Development Department. A qualified paleontologist shall be retained to salvage of the resource following the standards of the Society for Vertebrate Paleontology (SVP) and curation with a certified repository such as the</i></p>	<p>During any phase of project implementation</p>	<p>City of Sacramento Community Development Department</p>		



<b>MITIGATION MONITORING PLAN</b>				
<b>Sump Station Facilities Improvement Project</b>				
<b>Mitigation Measure</b>	<b>Reporting Milestone</b>	<b>Reporting / Responsible Party</b>	<b>Verification of Compliance</b>	
			<b>Initials</b>	<b>Date</b>
<i>California Museum of Paleontology (UCMP). Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.</i>				
<b>12. Tribal Cultural Resources</b>				
12-1 Implement Mitigation Measures 4-1 through 4-5.	See Mitigation Measures 4-1 through 4-5.	See Mitigation Measures 4-1 through 4-5.		