

Exhibit 4: Mitigated Negative Declaration for the "Zinfandel Lane Bridge Fish Passage Project"



State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
2010 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT # 066

STATE CLEARING HOUSE # _____
 (if applicable)

TYPE OR PRINT CLEARLY

LEAD AGENCY NAPA COUNTY PUBLIC WORKS		DATE 6/28/2010	
COUNTY/STATE AGENCY OF FILING NAPA COUNTY CLERK		DOCUMENT NUMBER 066	
PROJECT TITLE ZINFANDEL LANE BRIDGE FISH PASSAGE PROJECT			
PROJECT APPLICANT NAME JUAN ARIAS		PHONE NUMBER (707) 250 - 8374	
PROJECT APPLICANT ADDRESS 1195 THIRD STREET	CITY NAPA	STATE CA	ZIP CODE 94559
PROJECT APPLICANT (Check appropriate box):			
<input checked="" type="checkbox"/> Local Public Agency <input type="checkbox"/> School District <input type="checkbox"/> Other Special District <input type="checkbox"/> State Agency <input type="checkbox"/> Private			
CHECK APPLICABLE FEES:			
<input type="checkbox"/> Environmental Impact Report		\$2,792.25 \$ _____	
<input checked="" type="checkbox"/> Negative Declaration		\$2,010.25 \$ 2010.25	
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)		\$850.00 \$ _____	
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs		\$949.50 \$ _____	
<input checked="" type="checkbox"/> County Administrative Fee		\$50.00 \$ 50.00	
<input type="checkbox"/> Project that is exempt from fees			
<input checked="" type="checkbox"/> Notice of Exemption			
<input type="checkbox"/> DFG No Effect Determination (Form Attached)			
<input type="checkbox"/> Other _____		\$ 2110.25	
TRANSACTION # _____			
PAYMENT METHOD:			
<input type="checkbox"/> Cash <input type="checkbox"/> Credit <input type="checkbox"/> Check <input checked="" type="checkbox"/> Other <u>Deposit</u>			
			TOTAL RECEIVED \$50.00
SIGNATURE X Lawrence Rodriguez		TITLE DEPUTY COUNTY CLERK	

ORIGINAL - PROJECT APPLICANT
 FG 753.5a (Rev. 01/2010)

COPY - DFG/ASB

COPY - LEAD AGENCY

COPY - COUNTY CLERK

Mitigated Negative Declaration and Mitigation Monitoring Program

Zinfandel Bridge Fish Passage Project



**County of Napa
Department of Public Works – Flood Control
804 First Street
Napa, California 94559**

July 7, 2010

TABLE OF CONTENTS

Mitigated Negative Declaration	1
Lead Agency and Project Proponent	1
Contact Person	1
Project Location	1
Project Sponsor	1
Description of Project	1
Finding of No Significant Effect on the Environment	5
Initial Study	5
Mitigation Measures	4
Appendix A - Final Mitigation Monitoring Program	12

**Napa County Resource Conservation District
Mitigated Negative Declaration
Zinfandel Lane Bridge Fish Passage Project**

Project Title

Zinfandel Lane Bridge Fish Passage Project

Lead Agency Name and Address

Napa County Department of Public Works
804 First Street
Napa, CA 94559

Contact Person

Richard Thomasser
Napa County Flood Control and Water Conservation District
Phone: (707) 259-8204
Richard.Thomasser@countyofnapa.org

Project Location

The proposed Zinfandel Lane Bridge Fish Passage Project is located at the Zinfandel Lane and Napa River crossing approximately 2 miles downstream of St. Helena, Napa County, California (see Figure 1 Vicinity/Location Map). Zinfandel Lane runs predominately east west and is located between Highway 128, Silverado Trail, to the north and Highway 29 to the south. The bridge is located approximately 0.15 miles southwest of the intersection of Silverado Trail and Zinfandel Lane. The project site falls on portions of three privately-owned parcels and within the county-owned easement for the Zinfandel Lane Bridge.

Description of the Project

Purpose of Project

The Zinfandel Lane Bridge is a designated historic stone masonry bridge constructed in 1913. The channel bed have dramatically incised since construction of the bridge resulting in a 7 to 12 foot lowering of the historic channel profile. A large concrete apron was installed across the channel under the bridge sometime in the past, and a large 13 to 15 foot deep scour pool has formed immediately downstream of the bridge. The project is intended to provide fish passage under the Zinfandel Lane Bridge to allow salmonids and other aquatic species to access habitat upstream through removal of the concrete apron and reconfiguration of the channel below the bridge.

The following are the overall objectives of this project:

- Provide full upstream passage for adult Chinook salmon and steelhead;
- If feasible, provide juvenile fish passage for upstream dispersal

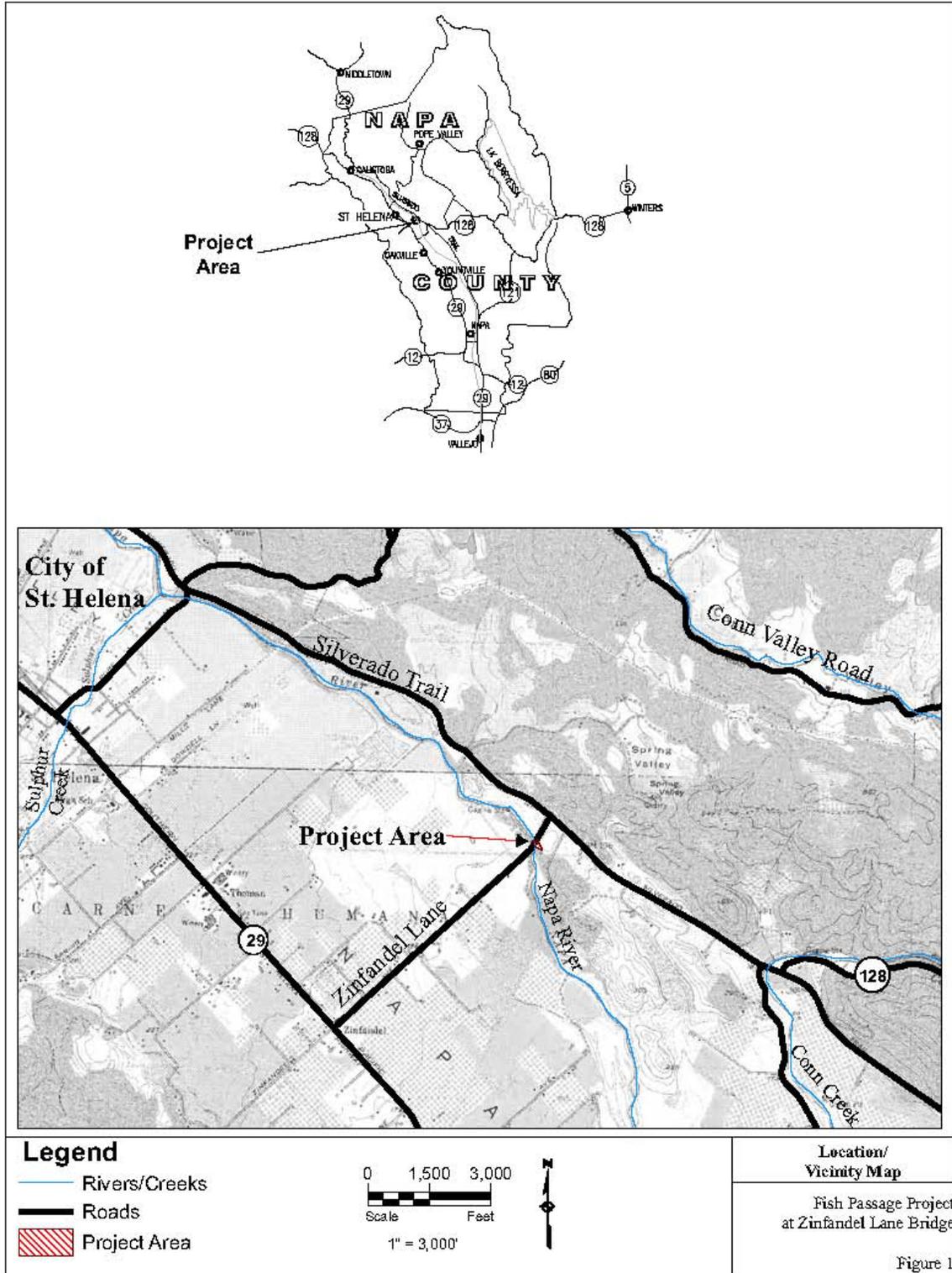


Exhibit 4: Mitigated Negative Declaration for the “Zinfandel Lane Bridge Fish Passage Project”

- Rehabilitate the bridge apron and cutoff walls to control piping under the apron and protect the pier and abutment foundations from scour and undermining; and
- Incorporate public viewing and educational opportunities.

Project Description

The Zinfandel Lane Bridge consists of a stone arch gravity structure with two bays to convey flow from the Napa River (see Figure 2, Site photos). A concrete apron spans the entire river channel below the bridge. The Zinfandel Lane Bridge Fish Project includes removal of the concrete apron from the Napa River and construction of two new flow channels under the bridge to convey flows and provide fish passage under the bridge. To provide favorable conditions for a wider range of flows, the two channels would differ in their function and configuration. One channel would provide fish passage while the other would simply pass river flow.

Construction of the two new channels would require removal of the existing concrete aprons and an existing stacked concrete wall. Approximately 150 cubic yards of concrete would be removed and hauled to an approved landfill for disposal. Additionally, approximately 456 cubic yards of rock and channel bottom would be removed from under the existing concrete aprons to lower the bed elevation to the 6.5 foot below the current channel. Both channels would be constructed of poured concrete on structural backfill material or poured concrete anchored to bedrock and both channels require construction of a cutoff wall immediately upstream and immediately downstream to eliminate seepage under the foundation or apron.

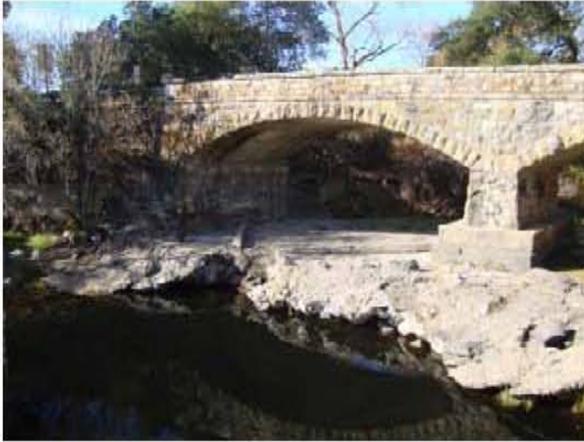
A portion of an existing stacked concrete wall would also be removed and reconstructed on the eastern side of the channel immediately downstream of the bridge. The wall reconstruction would be necessary to prevent scour which currently occurs in the area. Large diameter rocks (greater than 4 feet diameter) would be placed behind the newly reconstructed wall and the area backfilled with native top soil or other approved backfill material. Vegetation would be removed near the stacked concrete wall, and the area would be replanted with native trees and shrubs following work in the area. Other existing riprap material along the banks downstream of the bridge would remain and would not be altered. Some limited riparian vegetation disturbance would occur, primarily associated with construction of temporary access road at the channel access point.

Construction of the channel modifications would require access to the Napa River, so a new temporary access road would be constructed to provide access from Zinfandel Lane on the north side of the bridge to the construction area. A temporary construction staging area would be constructed adjacent to the access road to store equipment and materials during construction. Work within the Napa River would require dewatering to divert water around the construction area. Water management would include the construction of at least two coffer dams and use of a gravity diversion pipe and possible fish and aquatic species capture and relocation.

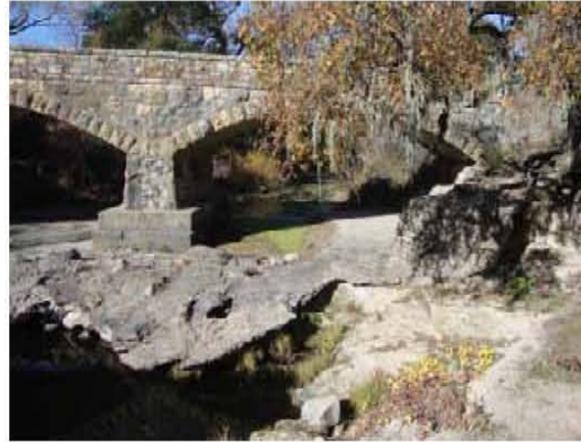
Monitoring for project effectiveness would occur following construction of the fish passage project. Monitoring would consist of pre- and post-project site condition evaluation, including topographic channel surveys, habitat measurements, and field inspections to determine project success and performance.

A detailed Project Description is included in the Draft Initial Study/Proposed Mitigated Negative Declaration.

Exhibit 4: Mitigated Negative Declaration for the “Zinfandel Lane Bridge Fish Passage Project”



Looking upstream at the west bay of the bridge and the existing concrete curbs and apron



Looking upstream at the east bay of the bridge



Looking east at the existing large oak tree and stacked concrete wall



Looking east at the location of the proposed access road

Existing Site Photos

Fish Passage Project at
Zinfandel Lane

Figure 2

Finding Of No Significant Effect on the Environment

The project will improve fish passage and allow fish and aquatic species to utilize the available habitat upstream of the bridge. With the recommended mitigation measures, no significant adverse effects to the environment are expected from the project. This project will not have a detrimental effect upon either short-term or long-term environmental goals. This project will not have impacts which are individually limited but cumulatively considerable. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

Mitigation measures have been added to the project to reduce potentially significant impacts to less than significant levels.

Initial Study

An Initial Study was prepared for the project and sent to the State Clearinghouse and interested agencies on May 10, 2010 for a 30-day agency and public review period. The County received a letter from the State Clearinghouse dated June 9th stating that no state agencies submitted comments on the Draft Initial Study. The County did not receive any other letters regarding the project.

Project Measures and Mitigation Measures

The project measures and mitigation measures below are compiled from the Initial Study. These measures have been added to the project and have been found to reduce potentially significant impacts of the proposed project to less than significant. A Mitigation Monitoring Program has been prepared and is attached as Appendix A to the Initial Study, and it is included in this document.

Project Measure 1 – Develop a Traffic Control Plan

The County shall require the contractor to develop a traffic control plan to minimize the effects of construction traffic on Zinfandel Lane and at key intersections and roadways used during construction. The traffic control plan shall include the following provision and may include other measures if a further need is identified.

- Post warning signage at points where construction traffic would enter or leave Zinfandel Lane
- Use flag control during work hours when equipment or materials are delivered to the site.
- Restrict all construction traffic to normal daytime business hours, unless the County identifies a need for off-hours routing to avoid impacts on peak-hour commute traffic.
- In order to minimize any potential overlap with other construction and roadway improvement project, the contractor shall work with the County to identify the routes and intersections that should be avoided, and appropriate alternate travel routes or times. The plan shall address routes to minimize construction traffic on SR29 during peak hours.

Project Measure 2 – Control Dust

The principal concern about the effect of construction projects on air quality relates to the potential for earthwork and other activities to generate dust, including inhalable particulate matter (PM₁₀) that poses a human health hazard. To address the potential for dust generation, the contractor shall be required to implement the following BMPs, which are based on the Bay Area Air Quality Management District's (BAAQMD's) *Feasible Control Measures for Construction Emissions of PM₁₀* (Bay Area Air Quality Management District 1999). These measures would also apply to ground disturbing maintenance activities.

- Cover all trucks hauling soil, sand, and other loose materials, or require all trucks to maintain at least 2 feet of freeboard.
- As needed to control dust generation, apply water on all unsurfaced access roads, parking areas, and staging areas at construction sites or provide a temporary surface for the access road (wood chips, gravel or other material).
- Using street sweepers, sweep all paved access roads, parking areas, and staging areas at construction sites daily or more often, as needed to control dust.
- Using street sweepers, sweep streets, including haul routes, daily or more often, as needed, if visible soil material is carried onto adjacent public streets.
- Cover inactive construction areas (previously graded areas inactive for 10 days or more).
- Enclose, cover, or water twice daily exposed stockpiles of dirt, sand, and other loose, granular construction materials.
- Limit traffic speeds in unpaved areas to 15 mph.
- Suspend excavation and grading activity when wind speeds (instantaneous gusts) exceed 25 mph.

Project Measure 3 – Prepare an Erosion and Sediment Control Plan

The County shall require that the contractor prepare an Erosion and Sediment Control Plan for the project prior to construction. Below are some of the measures that would be taken to reduce soil erosion and protect water quality during construction.

- Best management practices for erosion, sediment and turbidity control shall be implemented and be in place at commencement of, during and after any ground clearing activities or any other project activities that could result in erosion or sediment discharges to surface water.
- Exposed slopes would be protected using temporary erosion control blankets, fiber rolls, silt fences, or other approved erosion and sediment controls.
- Erosion prevention and sediment control measures would be inspected and maintained until disturbed areas are stabilized.
- To ensure that stockpiled granular material does not enter the creek or storm drains, the material would be covered with a tarp and surrounded with sand bags when rain is forecast.

- At the end of construction, the temporary access road segments would be closed and the disturbed areas would be reseeded using an approved seed mix.
- A concrete washout area would be designated to clean concrete trucks and tools.
- At the end of each working day roadways would be cleaned and swept, and scrap, debris, and waste material, would be collected and disposed of properly.
- Vehicle or equipment cleaning would be performed with water only, and in a designated, bermed area that would not allow rinse water to run off-site or into the creek.
- Maintenance and fueling of construction vehicles and equipment would be performed in a designated, bermed area or over a drip pan that would not allow run-on of storm water or runoff of spills.

Project Measure 4 – Prepare a Spill Prevention and Response Plan

The County shall require the contractor to prepare a Spill Prevention and Response Plan that identifies any hazardous materials to be used during construction; describes measures to prevent, control, and minimize the spillage of hazardous substances; describes transport, storage, and disposal procedures for these substances; and outlines procedures to be followed in case of a spill of a hazardous material. The Spill Prevention and Response Plan shall require that hazardous and potentially hazardous substances stored onsite be kept in securely closed containers located away from drainage courses, agricultural areas, storm drains, and areas where stormwater is allowed to infiltrate. It shall also stipulate procedures, such as the use of spill containment pans, to minimize hazard during onsite fueling and servicing of construction equipment. Finally, the Spill Prevention and Response Plan shall require that the County be notified immediately of any substantial spill or release.

Project Measure 5– Waste Management

Consistent with County General Plan Policy CON-88b, the County shall require the contractor to implement waste reduction measures, including recycling and reuse where feasible. In particular, green waste shall be reused onsite as mulch or in bank stabilization construction where this is appropriate, and shall be off hauled for composting if it cannot be reused onsite. Concrete shall be recycled if possible.

Project Measure 6 – Prepare a Dewatering Plan

A Dewatering Plan shall be developed by the contractor to address the dewatering systems, implementation, and maintenance. The plan shall include a description of the pump systems proposed to remove seepage and maintain a dry work area. It shall specify the location of the pumps and the measures necessary to protect water quality during pumping activities including but not limited to the requirements for pump refueling and the wastewater management requirements.

Mitigation Measure AIR -1: Control Equipment Exhaust

The County shall require the contractor to implement the following air quality measures during construction as recommended by the Bay Area Air Quality Management District

(as recommended in the BAAQMD 1999 Guidelines and refined in the 2009 Proposed Guidelines):

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2484 of CCR).
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications.

Mitigation Measure BIO-1: Conduct Seasonally-Appropriate Special-Status Plant Species Surveys

Prior to construction of the access road, a qualified botanist shall conduct seasonally appropriate surveys for listed plant species, in the grassland habitat within the project impact area. The survey would determine presence or absence of listed plant species. If special-status plants are identified in the area and they cannot be avoided during construction activities, then the plants shall be harvested and preserved in an on-site nursery for replanting along the access road as part of the restoration efforts.

Mitigation Measure BIO-2: Preconstruction Nest Surveys and Construction Exclusion Zones.

If construction occurs outside of the nesting season (September to January) then preconstruction nest surveys would not be necessary. However, if construction would take place during the nesting season (February-August), then preconstruction nest surveys shall be conducted as follows in order to avoid potential impacts to nesting birds.

The County shall retain a qualified biologist to conduct preconstruction nesting surveys within two weeks days prior to the start of construction. If raptors or special-status birds are nesting within 200 feet of the project site, a minimum 200-foot non-disturbance buffer shall be established around the nest site. If a non-special-status bird that is subject to the Migratory Bird Treaty is identified nesting on the project site or within 50 feet of the project site, a non-disturbance buffer of 50 feet shall be established around the nest site. The 200-foot nesting buffer may be modified to a minimum of 100 foot if a qualified biologist determines that the nesting birds are acclimated to human disturbance. Any reduction in the buffer size would require routine monitoring by a qualified biologist until such time that young fledge (leave the nest).

Mitigation Measure BIO-3: Preconstruction Surveys for Special-Status Aquatic Species

Preconstruction surveys for California freshwater shrimp, California red-legged frog, foothill yellow-legged frog, and northwestern pond turtle shall be conducted by a qualified biologist approved to conduct such surveys by Department of Fish and Game, USFWS, and NMFS. If any special-status species are found in the project area during preconstruction surveys, DFG, USFWS and/or NMFS shall be notified and individuals shall be captured by the qualified biologist and relocated to suitable areas above or below the project. Immediately prior to the start of construction activities, a qualified biologist shall conduct preconstruction dipnet surveys for California freshwater shrimp. If California freshwater shrimp are present, the biologist shall capture and relocate them to

a suitable site downstream of the construction area. Surveys for California red-legged frog shall be conducted according to current USFWS guidance (USFWS 1997), or as recommended by the agencies. If preconstruction surveys identify active northwestern pond turtle nests, a qualified biologist shall establish a no-disturbance buffer zone around the nest using temporary orange construction fencing. The radius of the buffer zone and the duration of the exclusion shall be determined in consultation with USFWS and DFG. The buffer zone and fencing shall remain in place until the young have left the nest, as determined by a qualified biologist.

Mitigation Measure BIO-4: Protect Salmonids

To reduce the likelihood of adverse impacts on salmonids that use the Napa River corridor, in-channel construction shall be limited to the dry season (April 15 to October 15). If necessary, upstream passage for salmonids shall be provided through or around construction sites from September 1 through October 15. The determination of the need to provide passage shall be based on the occurrence of more than 25 adult Chinook salmon or steelhead, on flow conditions, and on a cooperative assessment of passage needs by the County, NMFS, and DFG.

During in-channel work, flow shall be diverted around the work area as described in the project description. Any salmonids present in the work area shall be relocated under the supervision of a qualified fisheries biologist following procedures acceptable to the NMFS.

Mitigation Measure BIO-5. Avoid, Repair, and Revegetate Riparian and Aquatic Habitat

The County shall implement the following measures to protect riparian and aquatic habitat:

- Avoid impacts to riparian trees and riparian habitat to the extent feasible.
- Remove sediments and foreign materials deposited by construction activities from the riparian and aquatic habitat.
- Restoration of disturbed waters to original contour and hydrologic condition.
- Stockpile and reuse topsoil from areas along the access road route and the staging area.
- Reestablish riparian vegetation and wetland plant cover using native seed stock, container plants, and/or cuttings collected from as close to the impact vicinity as possible.
- Implement stream bank stabilization measures such as placement of willow wattles and covering disturbed stream banks with a biodegradable fiber (jute) cloth, coconut fiber rolls, or another similar erosion control fabric.

- Spread a cover of straw, rice straw if available, over disturbed soils and work into soil. Apply an organically based tackifier on disturbed areas, if necessary, to reduce air and water erosion of soils.
- Plants shall be installed, maintained and replaced such that 70 percent of the design plant density is present on the five-year anniversary of plant installation. A Planting Plan shall be developed, and it shall include a detailed description of the planting material, the planting instructions, plant installation methods, implementation schedule, and monitoring requirements.

Mitigation CR-1: Archaeological Monitoring

A qualified archaeologist shall be on site during vegetation removal and grading of the temporary access road and staging area to monitor for the presence of archaeological materials. If such materials are encountered, the procedures described in Mitigation Measure CR-2: Treatment of Archaeological Deposits shall be implemented.

Mitigation CR-2: Treatment of Archaeological Deposits

If archaeological materials are encountered during construction activities, the piece of equipment that encounters the materials must be stopped, and the find inspected by a qualified archaeologist. Project personnel shall not collect cultural materials. If the archaeologist determines that the find is potentially significant (e.g., could contribute valuable information about the prehistoric use of the area), all work must be stopped in the immediate vicinity to allow the archaeologist to recommend appropriate treatment. Such treatment could include modifying the project to allow the materials to be left in place, or undertaking data recovery of the materials in accordance with standard archaeological methods.

Mitigation CR-3: Treatment of Human Remains, Associated Grave Goods, or Items of Cultural Patrimony

If human remains are encountered during construction activities, there shall be no further excavation or disturbance of the remains, or nearby area until the Napa County Coroner has made the necessary findings as to origin, in accordance with Health and Safety Code 7050.5. In accordance with Public Resources Code 5097.98 if the coroner believes the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours the Native American Heritage Commission. The Native American Heritage Commission shall immediately notify the most likely descendent (MLD). The descendent shall inspect the site of the discovery and may recommend the means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendents shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The remains shall not be damaged or disturbed by further development until the County has discussed and conferred with the MLD regarding their recommendations.

Mitigation Measure CR-4: Protection and Preservation of Significant Paleontological Materials

If concentrations of paleontological resources (e.g. plant and animal fossil specimens and fossil-bearing rock units) are encountered during construction, the City shall halt ground-disturbing work in the vicinity of the find. Work near such finds shall not be resumed until a qualified paleontologist has evaluated the materials and offered recommendations for further action.

**APPENDIX A – ZINFANDEL LANE BRIDGE PROJECT
FINAL MITIGATION MONITORING PLAN**

Appendix A – Final Mitigation Monitoring Plan – Zinfandel Bridge Fish Passage Project

Project/Mitigation Measure	Verify Compliance	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p><u>Project Measure 1 - Develop a Traffic Control Plan.</u> The County shall require the contractor to develop a traffic control plan to minimize the effects of construction traffic on Zinfandel Lane and at key intersections and roadways used during construction. The traffic control plan shall include the following provision and may include other measures if a further need is identified.</p> <ul style="list-style-type: none"> • Post warning signage at points where construction traffic would enter or leave Zinfandel Lane • Use flag control during work hours when equipment or materials are delivered to the site. • Restrict all construction traffic to normal daytime business hours, unless the County identifies a need for off-hours routing to avoid impacts on peak-hour commute traffic. • In order to minimize any potential overlap with other construction and roadway improvement project, the contractor shall work with the County to identify the routes and intersections that should be avoided, and appropriate alternate travel routes or times. The plan shall address routes to avoid construction traffic on SR29 during peak hours.. 	<p>Department of Public Works</p>	<p>During construction</p>	<p>Ongoing through construction</p>	<p>Implement BMPs into Traffic Control Plan</p>
<p><u>Project Measure 2 – Control Dust.</u> The principal concern about the effect of construction projects on air quality relates to the potential for earthwork and other activities to generate dust, including inhalable particulate matter (PM₁₀) that poses a human health hazard.(3) To address the potential for dust generation, the contractor shall be required to implement the following BMPs, which are based on the Bay Area Air Quality Management District's (BAAQMD's) <i>Feasible Control Measures for Construction Emissions of PM₁₀</i> (Bay Area Air Quality Management District 1999). These measures would also apply to ground disturbing maintenance activities.</p> <ul style="list-style-type: none"> • Cover all trucks hauling soil, sand, and other loose materials, or require all trucks to maintain at least 2 feet of freeboard. • As needed to control dust generation, apply water on all unsurfaced access roads, parking areas, and staging areas at 	<p>Department of Public Works</p>	<p>During construction</p>	<p>Ongoing during construction</p>	<p>Implementation of BMPs</p>

Appendix A – Final Mitigation Monitoring Plan – Zinfandel Bridge Fish Passage Project

Project/Mitigation Measure	Verify Compliance	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>construction sites or provide a temporary surface for the access road (wood chips, gravel or other material).</p> <ul style="list-style-type: none"> • Using street sweepers, sweep all paved access roads, parking areas, and staging areas at construction sites daily or more often, as needed to control dust. • Using street sweepers, sweep streets, including haul routes, daily or more often, as needed, if visible soil material is carried onto adjacent public streets. • Cover inactive construction areas (previously graded areas inactive for 10 days or more). • Enclose, cover, or water twice daily exposed stockpiles of dirt, sand, and other loose, granular construction materials. • Limit traffic speeds in unpaved areas to 15 mph. • Suspend excavation and grading activity when wind speeds (instantaneous gusts) exceed 25 mph. 				
<p><u>Project Measure 3 – Prepare an Erosion and Sediment Control Plan.</u> The County shall require that the contractor prepare an Erosion and Sediment Control Plan for the project prior to construction. Below are some of the measures that would be taken to reduce soil erosion and protect water quality during construction.</p> <ul style="list-style-type: none"> • Best management practices for erosion, sediment and turbidity control shall be implemented and be in place at commencement of, during and after any ground clearing activities or any other project activities that could result in erosion or sediment discharges to surface water. • Exposed slopes would be protected using temporary erosion control blankets, fiber rolls, silt fences, or other approved erosion and sediment controls. • Erosion prevention and sediment control measures would be inspected and maintained until disturbed areas are stabilized. • To ensure that stockpiled granular material does not enter the creek or storm drains, the material would be covered with a tarp and surrounded with sand bags when rain is forecast. 	<p>Department of Public Works</p>	<p>During construction</p>	<p>Ongoing during construction</p>	<p>Implementation of BMPs</p>

Appendix A – Final Mitigation Monitoring Plan – Zinfandel Bridge Fish Passage Project

Project/Mitigation Measure	Verify Compliance	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<ul style="list-style-type: none"> • At the end of construction, the temporary access road segments would be closed and the disturbed areas would be reseeded using an approved seed mix. • A concrete washout area would be designated to clean concrete trucks and tools. • At the end of each working day roadways would be cleaned and swept, and scrap, debris, and waste material, would be collected and disposed of properly. • Vehicle or equipment cleaning would be performed with water only, and in a designated, bermed area that would not allow rinse water to run off-site or into the creek. • Maintenance and fueling of construction vehicles and equipment would be performed in a designated, bermed area or over a drip pan that would not allow run-on of storm water or runoff of spills. 				
<p><u>Project Measure 4 – Prepare a Spill Prevention and Response Plan.</u> A Spill Prevention and Response Plan that identifies any hazardous materials to be used during construction; describes measures to prevent, control, and minimize the spillage of hazardous substances; describes transport, storage, and disposal procedures for these substances; and outlines procedures to be followed in case of a spill of a hazardous material. The Spill Prevention and Response Plan shall require that hazardous and potentially hazardous substances stored onsite be kept in securely closed containers located away from drainage courses, agricultural areas, storm drains, and areas where stormwater is allowed to infiltrate. It shall also stipulate procedures, such as the use of spill containment pans, to minimize hazard during onsite fueling and servicing of construction equipment. Finally, the Spill Prevention and Response Plan shall require that the County be notified immediately of any substantial spill or release.</p>	Department of Public Works	Before issuance of work extensions	Confirm implementation of measures during site visit	verify the SWPPP is written and submitted

Appendix A – Final Mitigation Monitoring Plan – Zinfandel Bridge Fish Passage Project

Project/Mitigation Measure	Verify Compliance	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p><u>Project Measure 5 – Waste Management.</u> Consistent with County General Plan Policy CON-88b, the County shall require the contractor to implement waste reduction measures, including recycling and reuse where feasible. In particular, green waste shall be reused onsite as mulch or in bank stabilization construction where this is appropriate, and shall be off hauled for composting if it cannot be reused onsite. Concrete shall be recycled if possible.</p>	Department of Public Works	Review of Final Design Plans	Confirm implementation of measures during site visit	Verify final plans include appropriate waste management measures
<p><u>Project Measure 6 – Prepare a Dewatering Plan.</u> A Dewatering Plan shall be developed by the contractor to address the dewatering systems, implementation, and maintenance. The plan shall include a description of the pump systems proposed to remove seepage and maintain a dry work area. It shall specify the location of the pumps and the measures necessary to protect water quality during pumping activities including but not limited to the requirements for pump refueling and the wastewater management requirements.</p>	Department of Public Works	Before issuance of work extensions	Confirm implementation of measures during site visit	verify the Dewatering Plan includes measures necessary to properly manage the water
<p><u>Mitigation Measure AIR-1: Control Equipment Exhaust.</u> The County shall require the contractor to implement the following air quality measures during construction as recommended by the Bay Area Air Quality Management District (as recommended in the BAAQMD 1999 Guidelines and refined in the 2009 Proposed Guidelines):</p> <ul style="list-style-type: none"> • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2484 of CCR). • All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. 	Department of Public Works	During construction	Ongoing during construction	Implementation of BMPs
<p><u>Mitigation Measure BIO-1: Conduct Seasonally-Appropriate Special-Status Plant Species Surveys.</u> Prior to construction of the access road, a qualified botanist shall conduct seasonally appropriate surveys for listed plant species, in the grassland habitat within the project impact area. The survey would determine presence or absence of listed plant species. If special-status plants are identified in the area and they cannot be avoided during construction activities, then the plants shall be harvested and preserved in an on-site nursery for replanting along the access road as part of the restoration efforts.</p>	Department of Public Works	Prior to construction	On-going during construction	Verify that the pre-construction survey requirements has been properly implemented

Appendix A – Final Mitigation Monitoring Plan – Zinfandel Bridge Fish Passage Project

Project/Mitigation Measure	Verify Compliance	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p><u>Mitigation Measure BIO-2: Preconstruction Nest Surveys and Construction Exclusion Zones.</u> If construction would take place outside of the nesting season (September to January), then preconstruction nest surveys would not be necessary. However, if construction would take place during the nesting season (February-August), then preconstruction nest surveys shall be conducted as follows in order to avoid any potential impacts to nesting birds.</p> <p>The County shall retain a qualified biologist to conduct preconstruction nesting surveys within 5 days prior to the start of construction. If raptors or special-status birds are nesting within 200 feet of the project site, a minimum 200-foot non-disturbance buffer shall be established around the nest site. If a non-special-status bird that is subject to the Migratory Bird Treaty is identified nesting on the project site or within 50 feet of the project site, a non-disturbance buffer of 50 feet shall be established around the nest site. The 200-foot nesting buffer may be modified to a minimum of 100 foot if a qualified biologist determines that the nesting birds are acclimated to human disturbance. Any reduction in the buffer size would require routine monitoring by a qualified biologist until such time that young fledge (leave the nest).</p>	<p>Department of Public Works</p>	<p>Prior to construction</p>	<p>On-going during construction</p>	<p>Verify that the pre-construction survey requirements has been properly implemented</p>

Appendix A – Final Mitigation Monitoring Plan – Zinfandel Bridge Fish Passage Project

Project/Mitigation Measure	Verify Compliance	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p><u>Mitigation Measure BIO-3: Preconstruction Surveys for Special-Status Aquatic Species.</u> Preconstruction surveys for California freshwater shrimp, California red-legged frog, foothill yellow-legged frog, and northwestern pond turtle shall be conducted by a qualified biologist approved to conduct such surveys by Department of Fish and Game, USFWS, and NMFS. If any special-status species are found in the project area during preconstruction surveys, DFG, USFWS and/or NMFS shall be notified and individuals shall be captured by the qualified biologist and relocated to suitable areas above or below the project. Immediately prior to the start of construction activities, a qualified biologist shall conduct preconstruction dipnet surveys for California freshwater shrimp. If California freshwater shrimp are present, the biologist shall capture and relocate them to a suitable site downstream of the construction area. Surveys for California red-legged frog shall be conducted according to current USFWS guidance (USFWS 1997), or as recommended by the agencies. If preconstruction surveys identify active northwestern pond turtle nests, a qualified biologist shall establish a no- disturbance buffer zone around the nest using temporary orange construction fencing. The radius of the buffer zone and the duration of the exclusion shall be determined in consultation with USFWS and DFG. The buffer zone and fencing shall remain in place until the young have left the nest, as determined by a qualified biologist.</p>	<p>Department of Public Works</p>	<p>Prior to construction</p>	<p>On-going during construction</p>	<p>Verify that the pre-construction survey requirements has been properly implemented</p>
<p><u>Mitigation Measure BIO-4: Protect Salmonids.</u> To reduce the likelihood of adverse impacts on salmonids that use the Napa River corridor, in-channel construction shall be limited to the dry season (April 15 to October 15). If necessary, upstream passage for salmonids shall be provided through or around construction sites from September 1 through October 15. The determination of the need to provide passage shall be based on the occurrence of more than 25 adult Chinook salmon or steelhead, on flow conditions, and on a cooperative assessment of passage needs by the County, NMFS, and DFG.</p> <p>During in-channel work, flow shall be diverted around the work area as described in the project description. Any salmonids present in the work area shall be relocated under the supervision of a qualified fisheries biologist following procedures acceptable to the NMFS.</p>	<p>Department of Public Works</p>	<p>Prior to Construction</p>	<p>Prior to Construction</p>	<p>Timing of Construction; Complete surveys; Implementation of BMPs</p>

Appendix A – Final Mitigation Monitoring Plan – Zinfandel Bridge Fish Passage Project

Project/Mitigation Measure	Verify Compliance	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p><u>Mitigation Measure BIO-5: Avoid, Repair, and Revegetate Riparian and Aquatic Habitat.</u> The County shall implement the following measures to protect riparian and aquatic habitat:</p> <ul style="list-style-type: none"> • Avoid impacts to riparian trees and riparian habitat to the extent feasible. • Remove sediments and foreign materials deposited by construction activities from the riparian and aquatic habitat. • Restoration of disturbed waters to original contour and hydrologic condition. • Stockpile and reuse topsoil from areas along the access road route and the staging area. • Reestablish riparian vegetation and wetland plant cover using native seed stock, container plants, and/or cuttings collected from as close to the impact vicinity as possible. • Implement stream bank stabilization measures such as placement of willow wattles and covering disturbed stream banks with a biodegradable fiber (jute) cloth, coconut fiber rolls, or another similar erosion control fabric. • Spread a cover of straw, rice straw if available, over disturbed soils and work into soil. Apply an organically based tackifier on disturbed areas, if necessary, to reduce air and water erosion of soils. • Plants shall be installed, maintained and replaced such that 70 percent of the design plant density is present on the five-year anniversary of plant installation. A Planting Plan shall be developed, and it shall include a detailed description of the planting material, the planting instructions, plant installation methods, implementation schedule, and monitoring requirements. 	<p>Department of Public Works</p>	<p>Prior to Construction</p>	<p>Prior to Construction</p>	<p>Timing of Construction; Complete surveys; Implementation of BMPs</p>

Appendix A – Final Mitigation Monitoring Plan – Zinfandel Bridge Fish Passage Project

Project/Mitigation Measure	Verify Compliance	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p><u>Mitigation Measure CR-1: Archaeological Monitoring.</u> A qualified archaeologist shall be on site during vegetation removal and grading of the temporary access road and staging area to monitor for the presence of archaeological materials. If such materials are encountered, the procedures described in Mitigation Measure CR-2: Treatment of Archaeological Deposits shall be implemented.</p>	Department of Public Works	On-going during construction	On-going during construction	Monitor on site during construction of the temporary access road and staging area
<p><u>Mitigation Measure CR-2: Treatment of Archaeological Deposits.</u> If archaeological materials are encountered during construction activities, the piece of equipment that encounters the materials must be stopped, and the find inspected by a qualified archaeologist. Project personnel shall not collect cultural materials. If the archaeologist determines that the find is potentially significant (e.g., could contribute valuable information about the prehistoric use of the area), all work must be stopped in the immediate vicinity to allow the archaeologist to recommend appropriate treatment. Such treatment could include modifying the project to allow the materials to be left in place, or undertaking data recovery of the materials in accordance with standard archaeological methods.</p>	Department of Public Works	On-going during construction	On-going during construction	Verify the appropriate measures were taken during construction if resources are discovered during construction
<p><u>Mitigation Measure CR-3: Treatment of Human Remains, Associated Grave Goods, or Items of Cultural Patrimony.</u> If human remains are encountered during construction activities, there shall be no further excavation or disturbance of the remains, or nearby area until the Napa County Coroner has made the necessary findings as to origin, in accordance with Health and Safety Code 7050.5. In accordance with Public Resources Code 5097.98 if the coroner believes the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours the Native American Heritage Commission. The Native American Heritage Commission shall immediately notify the most likely descendent (MLD). The descendent shall inspect the site of the discovery and may recommend the means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendents shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The remains shall not be damaged or disturbed by further development until the County has discussed and conferred with the MLD</p>	Department of Public Works	On-going during construction	On-going during construction	Verify the appropriate measures were taken during construction if resources are discovered during construction

Appendix A – Final Mitigation Monitoring Plan – Zinfandel Bridge Fish Passage Project

Project/Mitigation Measure	Verify Compliance	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
regarding their recommendations.				
<p><u>Mitigation Measure CR-4: Protection and Preservation of Significant Paleontological Materials.</u> If concentrations of paleontological resources (e.g. plant and animal fossil specimens and fossil-bearing rock units) are encountered during construction, the City shall halt ground-disturbing work in the vicinity of the find. Work near such finds shall not be resumed until a qualified paleontologist has evaluated the materials and offered recommendations for further action.</p>	Department of Public Works	On-going during construction	On-going during construction	Verify the appropriate measures were taken during construction if resources are discovered during construction