

Mitigation Monitoring and Reporting Plan

The California Environmental Quality Act (CEQA) requires that all public agencies establish monitoring and/or reporting procedures for mitigation measures adopted as conditions of approval in order to mitigate or avoid significant environmental impacts. This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide a vehicle by which to monitor mitigation measures outlined in the Napa Valley Vine Trail – St. Helena to Calistoga Section, State Clearinghouse No. 2020060572.

The mitigation measures provided in Table 1 below have been revised for further clarity from those provided in the June 2020 Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the St. Helena to Calistoga Section. The same changes to the mitigation measures were made in the Final IS/MND with ~~strike through~~ where text was removed, and underline where text was added. These revisions were for clarity only and do not represent any substantial changes to the project involving new or more significant impacts, nor any substantial changes in the conditions which the project is undertaken that would introduce new or more severe impacts, nor has there been any new information of substantial importance which would result in changes to the analysis and conclusions. Thus, determinations and conclusions in the Draft IS/MND remain the same in the Final IS/MND.

The Napa Valley Vine Trail Project MMRP has been prepared in conformance with Section 21081.6 of the Public Resources Code. Specifically, Section 21081.6 states:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
 - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
 - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

CEQA Guidelines Section 15097 provides clarification with respect to mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The

reporting or monitoring program must be designed to ensure compliance during project implementation. The Napa Valley Transportation Authority (NVTA) is the Lead Agency for the Napa Valley Vine Trail – St. Helena to Calistoga Segment Project and is therefore responsible for implementing the MMRP. The MMRP has been drafted to meet the requirements of Public Resources Code Section 21081.6 as a fully enforceable monitoring program.

The MMRP is comprised of the Mitigation Program and includes measures to implement and monitor the Mitigation Program. The MMRP defines the following for each mitigation measure identified in Table 1. Mitigation Monitoring Reporting Plan:

- Definition of Mitigation Measure (MM). The mitigation measure contains the criteria for mitigation, either in the form of adherence to certain adopted regulations or identification of the steps to be taken in mitigation.
- Responsible Party. Unless otherwise indicated, the Applicant is the responsible party for implementing the mitigation measure, or a designated representative, is responsible for monitoring the performance and implementation of the mitigation measures.
- Time Frame. In each case, a time frame is provided for performance of the mitigation measure or the review of evidence that the specified mitigation measure has been implemented or taken place. The performance points selected are designed to ensure that impact-related components of project implementation do not proceed without establishing that the mitigation measure is implemented or ensured. All activities are subject to the approval of all required permits from agencies with permitting authority over the specific activity.

The numbering system in Table 1. Mitigation Monitoring Reporting Plan corresponds with the numbering system for Mitigation Measures used in the Draft IS/MND. The last column, “Sign-off” of the MMRP table will be used by the parties responsible for documenting when implementation of the mitigation measure has been completed. The ongoing documentation and monitoring of mitigation compliance will be completed by NVTA. The completed MMRP and supplemental documents will be kept on file at NVTA’s headquarters at 625 Burnell Street in Napa.

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The MMRP contained herein has been prepared to satisfy the requirements of CEQA as they relate to the Napa Valley Vine Trail: St. Helena to Calistoga Section IS/MND prepared by NVTA. This MMRP is intended to be used by Authority staff and mitigation monitoring personnel to ensure compliance with the mitigation measures identified in the IS/MND during project implementation.

The Napa Valley Vine Trail: St. Helena to Calistoga Section IS/MND presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA as a measure which:

- Avoids the impact altogether by not taking a certain action or parts of an action;

- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

Pursuant to Section 15126.4 of the CEQA Guidelines, mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. As noted above, the intent of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMRP will provide for monitoring of construction activities as necessary and where applicable, in-the-field identification and resolution of environmental concerns.

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Table 1. Mitigation Monitoring Reporting Plan				
Impact Number	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
Agriculture and Forestry Resources				
MM AG-1	<p>To preserve state-designated Prime Farmland the project applicant shall procure a long-term preservation of state-designated Prime Farmland, Farmland of Statewide Importance and Unique Farmland at a ratio of one acre of existing farmland of equal or higher quality for each acre that would be converted to non-agricultural uses, as required by the Napa County General Plan Environmental Impact Report (EIR) and City of St. Helena General Plan of state-designated Prime Farmland, Farmland of Statewide Importance and Unique Farmland. Alternatively, the project applicant may prepare a Land Evaluation and Site Assessment (LESA) model to identify farmland to be preserved. that would be converted to non-agricultural uses. The LESA report shall be submitted to Napa County and City of St Helena for review and approval prior to issuance of the first grading permit for the project site. This protection Preservation may consist of the establishment of farmland easements or other similar mechanism. The farmland to be preserved shall be located within the County <u>for impacts to farmland within Napa County, and shall be located within the City of St. Helena for impacts to farmland within the City of St. Helena, to the extent feasible.</u> and tThe preservation of such farmland shall occur prior to the conversion of the subject lands.</p>	Napa County	<p>Post Prior to issuance of Grading Permit Construction</p>	
Biological Resources				
MM BIO-1	<p>Seasonal Work restrictions. The following seasonal work windows will be adhered to:</p> <ul style="list-style-type: none"> Napa River - Construction of the bridge crossing would occur between June 15 to October 15, to occur in the dry season, outside of the fall run and spawning period for Chinook and steelhead, and outside the period where FYF and WPT are likely to disperse to upland areas. 	United States Fish and Wildlife Service, California Department of Fish and Wildlife, Contractor	Construction	

	<ul style="list-style-type: none"> • Tree removal that contains suitable nesting bat habitat – Removal must occur between March 15 to April 30 and Aug 15 to October 1, and as discussed further in MM BIO-12. • All other tree removals - The MBTA limits vegetation clearing to the non-nesting season, from September 30 to January 31, to the extent possible. Vegetation removal work outside this window requires pre-construction nest clearance surveys by a biologist. 			
MM BIO-2	<p>Worker Environmental Awareness Training. Before the construction activities begin, a qualified biologist will conduct an education program for all construction personnel. The training will include a description of special-status species, including federal and state listed species and associated habitats with potential to occur in the BSA; the occurrence of the species within the project impact area; an explanation of the status of these species and protection under the FESA and CESA; the measures to conserve listed species and their habitats as they relate to the work site; and boundaries within which construction may occur. A fact sheet conveying this information will be prepared and distributed to all construction crews. Upon completion of the program, personnel will sign a form stating that they attended the program and understand all the AMMs and implications of the FESA and CESA.</p>	NVTA, Qualified biologist	Preconstruction	
MM BIO-3	<p>Environmentally Sensitive Area Fencing. Prior to the start of construction, specific project locations that are associated with listed species and sensitive habitats will be identified and designated as Environmentally Sensitive Areas (ESAs) using high-visibility orange fencing, flagging and signage, or silt fencing. These areas will be shown on project design plans or maps to be provided to construction personnel. A qualified biologist will conduct preconstruction surveys of these areas, including any temporary work areas that have potential for federal or state listed species to occur. Construction work areas include the active construction site and all areas providing support for the project including areas used for vehicle parking, equipment and material storage and staging, access roads, etc.</p>	NVTA, Qualified biologist, Contractor	Preconstruction, Construction	

	<p>Temporary work areas include the active construction site and all areas providing support for the project including areas used for vehicle parking, equipment and material storage and staging, access roads, etc. The ESA's will be monitored during active construction and the ESA fencing will remain in place throughout the duration of the project related construction activities to prevent the encroachment of construction equipment/personnel into sensitive areas. The bid package special provisions will clearly describe acceptable fencing material and prohibited construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within ESAs. The final project plans would depict all locations where ESA fencing or flagging and signage would be installed. All hydrologic features within the BSA that have been identified as Waters of the State or Waters of the U.S. will be delineated as ESAs on project design plans and project-related activities, including water diversion, dredging, filling or grading would be prohibited.</p> <p>All equipment will be maintained such that there will be no leaks of automotive fluids such as gasoline, oils or solvents and a Spill Response Plan will be prepared.</p>			
MM BIO-4	<p>Waters and Wetlands Protection. Features within the BSA that have been identified as Waters of the State or Waters of the U.S. will be delineated on project design plans and designated as ESAs to be avoided during construction, except where allowed per Clean Water Act 404 permit and 401 Water Quality Certification.</p>	NVTA	Preconstruction	
MM BIO-5	<p>Avoidance of Entrapment. To prevent inadvertent entrapment of animals during construction, all excavated, steep-walled holes or trenches more than 1-ft deep will be covered at the close of each working day with plywood or other suitable material or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they must be thoroughly inspected for trapped animals.</p> <p>All replacement pipes, culverts, or similar structures stored in the project site overnight will be inspected before they are subsequently</p>	Contractor, Qualified biologist	Construction	

	<p>moved, capped and/or buried. If at any time a special status species is discovered, the Resident Engineer and Qualified biologist will be immediately informed. The animal will be allowed to move out of the area on its own volition or until the Qualified biologist notifies the Resident Engineer to resume work in the area.</p>			
MM BIO-6	<p>Tree protection. Vegetation and tree removal would be required to construct the trail. Trees would be replanted within the project area at a ratio consistent with local tree protection requirements for trees removed within local agency jurisdiction, Caltrans requirements for trees removed within Caltrans ROW, and CDFW replanting requirements for trees removed within the riparian zone in CDFW’s jurisdiction.</p>	<p>NVTA, Caltrans, California Department of Fish and Wildlife</p>	<p>Post construction</p>	
MM BIO-7	<p>Biological Monitor. A CDFW and USFWS-approved biologist will be present during construction-related activities in sensitive habitats as required by conservation measures in a Biological Opinion, Lake and Streambed Alteration Agreement, or Clean Water Act Section 404 permit. If special-status species are discovered during construction activities, the agency-approved biologist, through the Resident Engineer, will halt all work within 50 feet of the discovery and contact the appropriate agency to determine how to proceed.</p>	<p>NVTA, Qualified biologist</p>	<p>Construction</p>	
MM BIO-8	<p>Restoration of Disturbed Areas. All slopes or unpaved areas temporarily disturbed by the construction activities will be reseeded with native grasses and shrubs to stabilize and prevent erosion. The temporarily disturbed areas will be restored to pre-construction conditions to the maximum extent practicable. Where disturbance includes tree removal, native species will be replanted at ratios as described above.</p>	<p>NVTA, Qualified biologist, and Contractor</p>	<p>Post construction</p>	
MM BIO-9	<p>Storm Water Pollution Prevention Plan. NVTA would be required to prepare and a SWPPP in accordance with to Section 402 of the CWA and Caltrans’ Construction General Permit (Order 2009-009-DWQ). The SWPPP shall incorporate best management practices (BMPs) to control sedimentation and runoff and address water quality on site. Protective measures would include the following:</p>	<p>NVTA, Contractor</p>	<p>Preconstruction, Construction, Post-Construction</p>	

	<ul style="list-style-type: none"> • No discharge of pollutants from vehicle and equipment cleaning into any storm drains or watercourses. • Vehicle and equipment fueling and maintenance operations must be located away from watercourses, except at established commercial gas stations or established vehicle maintenance facility or staging areas with BMPs installed and maintained. • Concrete wastes would be collected in washouts and water from curing operations would be collected and disposed of properly. Neither will be allowed into watercourses. • Spill containment kits will always be maintained onsite at all times during construction operations. • Dust control measures will include a speed limit of 20 miles per hour in unpaved portions of the project, use of water trucks and organic tackifiers to control dust in disturbed areas, covering temporary access road entrances and exits with rock (rocking) or comparable stabilization techniques, and covering of temporary stockpiles when weather conditions require. • All food and food-related trash items will be enclosed in sealed trash containers and removed completely from the site at the end of each day. 			
MM BIO-10	<p>Species Specific Protections. To the extent practicable, in areas where WPT and FYF may occur, construction will be restricted to April 15 to October 15, when these species are least likely to disperse into upland habitat during dry hotter weather.</p> <p>Wildlife Exclusion Fencing (WEF). Prior to the start of construction, specific areas that may be in proximity of or adjacent to WPT and FYF habitat and may require exclusion fencing will be identified by a CDFW-approved biologist and shown on the project design plans. The installation of the fencing will be directed by the qualified biologist and the Resident Engineer based on habitat suitability. The bid_solicitation package special provisions will clearly describe acceptable fencing material and proper WEF installation and maintenance. The WEF will remain in place while construction</p>	NVTA, Qualified biologist, Contractor	Preconstruction, Construction	

	<p>activities are ongoing in the suitable habitat area and will be regularly inspected and maintained. The WEF will be completely removed upon completion of project-related activities within these areas and the areas returned to pre-construction condition.</p> <p>To prevent WPT and FYF from becoming entangled or trapped in erosion control materials, plastic mono-filament netting (i.e., erosion control matting) or similar material will not be used within the project site. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds.</p> <p>Preconstruction surveys will be conducted by a CDFW-approved biologist immediately prior to the initiation of initial ground disturbing activities (e.g., site mobilization, vegetation removal, and grading) within or adjacent to suitable WPT or FYF habitat. Visual encounter surveys will be conducted within areas subject to ground disturbing activities. All suitable aquatic and upland habitats, including refugia habitat such as under shrubs, downed logs, small woody debris, burrows, etc., will be thoroughly inspected.</p> <p>If WPT or FYF are observed during preconstruction surveys or during the course of active construction, all construction activities within 50 ft of the animals will be stopped until the CDFW-approved biologist may determine that project activities can be resumed without harming or injuring the animal(s).</p>			
MM BIO-11	<p>Pre-Construction Nesting Surveys. Grading or removal of nesting trees should be conducted from September 30 to January 31 to avoid the nesting bird and raptor season.</p> <p>If grading between September 30 and January 31 is infeasible and groundbreaking must occur within the nesting season, a pre-construction nesting bird survey of the grasslands and adjacent trees shall be performed by a qualified biologist within 7 days of groundbreaking. If no nesting birds are observed no further action is required and grading shall occur within one week of the survey to prevent “take” of individual birds that could begin nesting after the survey.</p>	Qualified biologist, California Department of Fish and Wildlife	Preconstruction	

	<p>If active bird nests are observed during the pre-construction survey, a disturbance free buffer zone shall be established around the nest tree(s) until the young have fledged, as determined by a qualified biologist. The radius of the required buffer zone can vary depending on the species, (i.e., 300 feet for raptors), determined by a qualified biologist in consultation with CDFW.</p> <p>To delineate the buffer zone around a nesting tree, orange construction fencing shall be placed at the specified radius from the base of the tree within which no machinery or workers shall intrude.</p> <p>After the fencing is in place there would be no restrictions on grading or construction activities outside the prescribed buffer zones.</p>			
<p>MM BIO-12</p>	<p>Roosting Bat Protection. A daytime bat habitat assessment should be conducted by a qualified bat biologist at least one year in advance of construction to evaluate the suitability of habitat in the existing Napa River bridge and in the trees to be removed.</p> <p>If no individual bats, bat habitat that may support bats or evidence of bats are present during the day, no further action is required. If individual bats, bat habitat that may support bats or evidence of bats are present, additional timing efforts would be required.</p> <p>To prevent disturbance to daytime roosting bats, if present, construction will occur outside the maternity season and winter torpor season. If no daytime habitat is present, as determined by the bat habitat assessment, then no seasonal limitations will apply to construction of the bridge over Napa River.</p> <p>For trees which would be impacted by the project and contain roosting bat habitat, tree removal would adhere to seasonal limits and follow a two-step process. Tree removal must only occur during seasonal periods of bat activity, between March 15 (or after evening temperatures rise above 45°F and/or rainfall and/or no more than 0.5 inches of rainfall within 24 hours occurs), and April 30, prior to parturition of pups. Tree removal can also occur between August 15 and about October 1 (or before evening temperatures fall below</p>	<p>Qualified biologist</p>	<p>Preconstruction</p>	

	<p>45°F and/or more than 0.5 inches of rainfall within 24 hours occurs). Tree removal shall be conducted under the supervision of a qualified bat biologist using a two-step process conducted over two consecutive days (e.g., Tuesday and Wednesday, or Thursday and Friday). With this method, small branches and small limbs not containing cavity, crevice or exfoliating bark habitat are removed with chainsaws or other similar tools. On Day 2, the remainder of the tree is removed.</p> <p>The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration, has the effect of causing bats to abandon the roost tree after nightly emergence for foraging. Removing the tree the next day prevents re-habituation and re-occupation of the altered tree.</p> <p>Non-habitat trees and all other vegetation proposed for removal further than 25 feet from identified habitat trees may be removed immediately, using any suitable means that does not cause damage to the roosting tree.</p>			
Cultural Resources				
MM CUL-1	<p>Prior to initiating ground disturbing activities within the project area, construction personnel should be alerted to the possibility of encountering buried prehistoric or historic period cultural remains. Personnel should be advised that upon discovery of buried archaeological deposits, work in the immediate vicinity of the find should cease and a qualified archaeologist should be contacted immediately. Once the find has been identified, plans for the treatment, evaluation, and mitigation of impacts to the find shall be developed if it is found to be eligible for the National Register of Historic Places or the California Register of Historical Resources.</p>	NVTA, Qualified archeologist	Preconstruction	
MM CUL-2	<p>Archaeological resources unearthed by project construction activities shall be evaluated by a qualified archaeologist and Native American monitor. If the resources are Native American in origin, the tribe shall coordinate with the jurisdiction regarding treatment of these resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Section 21083.2(b) for unique</p>	NVTA, Qualified archeologist	Construction	

	archaeological resources. Preservation in place (i.e., avoidance) shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis; provided no data recovery will be permitted to tribal cultural resources without prior consultation and consent of the Middletown.			
MM CUL-3	California Health and Safety Code Section 7050.5, State CEQA Guidelines Section 15064.5, and PRC Section 5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered, disturbance of the site shall be halted until the coroner has investigated the circumstances, manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in PRC Section 5097.98. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe 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.	NVTA, Napa County Coroner, Native American Heritage Commission	Construction	
Geology and Soils				
MM GEO-1	If buried paleontological materials are encountered during construction, it is Caltrans' policy that work stop in that area until a qualified paleontologist can evaluate the nature and significance of the find and excavation activities within a 100-foot radius of the find shall be temporarily halted or diverted. The certified paleontologist shall document any discoveries as needed in accordance with the Society of Vertebrate Paleontology standards and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the NVTA to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If the NVTA determines that avoidance is not feasible, the	NVTA, Qualified paleontologist	Construction	

	paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery.			
Hazards and Hazardous Materials				
MM HAZ-1	<p>Prior to construction, if deemed necessary, a Phase II Site Assessment shall be performed to further investigate hazardous material of concern surface soils along the project area for total lead. The Phase II Site Assessment shall be conducted by a California Professional Geologist and/or a California Professional Civil Engineer with experience in contaminated site investigation. General areas and contaminants of concern to be included in the Phase II Site Assessment include:</p> <ul style="list-style-type: none"> • Soil Investigation. Soil samples shall be collected prior to construction <u>and analyzed for total lead</u>. Soil analytical results shall be screened against the Regional Water Quality Control Board’s (2013) Environmental Screening Levels (ESLs) to determine appropriate actions to ensure the protection of construction workers and shall also be screened against hazardous waste thresholds, including total lead, to determine soil management options. • Hazardous Materials <u>Aerially Deposited Lead</u> Management and Disposal. Based on the findings of the Phase II Site Assessment, special soil and groundwater management and disposal procedures for hazardous materials <u>aerially deposited lead</u> may need to be implemented. Specialized construction worker health and safety measures during construction may also need to be implemented. Recommendations for any special <u>aerially deposited lead</u> management and disposal procedures should <u>would</u> be included in the Phase II Site Assessment. 	NVTA, Professional geologist/engineer	Preconstruction	
Noise				
MM NOI-1	The following multipart measure shall be implemented to reduce construction noise impacts to a less-than-significant level:	Contractor	Construction	

	<ul style="list-style-type: none"> • All equipment shall have sound-control devices that are no less effective than those provided on the original equipment. No equipment shall have unmuffled exhaust. • All equipment shall be properly maintained and operated. The contractor shall implement appropriate additional measures to reduce noise when adjacent to receptor locations including but not limited to, changing the location of stationary construction equipment, using temporary noise barriers, and placing noise blankets around pile drivers. • Within 14 days of starting construction, the contractor shall notify adjacent residents in advance of construction of the work hours and scheduled work. • The construction contractor’s specifications shall stipulate that noise generating construction activities not be allowed between the hours of 7:00 p.m. and 7:00 a.m. daily for unincorporated Napa County or City of Calistoga or at any time on Sunday or a legal holiday except when permitted by the governing Planning Director for an extreme situation. For the City of St. Helena, construction activities shall not be allowed between 5:00 p.m. and 8:00 a.m. Monday through Saturday. Although the delivery of materials/equipment, and cleaning and servicing machines/equipment is allowed between 7:00 a.m. and 6:00 p.m. • A Noise Control Plan shall be required of the construction contractor. The Plan would describe abatement measures to be utilized to comply with the noise regulations. The Plan shall also include a noise monitoring program to be implemented by the construction contractor. Special attention shall be given to minimizing noise effects near sensitive receptors. 			
Tribal Cultural Resources				
MM TCR-1	Prior to initial ground disturbance, NVTA shall, in consultation with Tribal Contacts, approve a Tribal Cultural Advisor. The Tribal Cultural Advisor will collaborate with project applicants to develop a monitoring plan for project related ground disturbing activities. Tribal monitoring shall be conducted by qualified tribal monitor(s)	NVTA, Tribal Cultural Advisor	Preconstruction	

	<p>approved by NVTVA in consultation with Tribe Contacts. This individual(s) shall have experience with identification, collection and treatment of tribal cultural resources of value to the Tribe.</p> <p>The project applicant shall coordinate with Tribal Contacts, at least 45 days prior to commencing project-related ground disturbing activities to address specific notification, protection, treatment, care and handling of any discovered tribal cultural resources.</p> <p>Monitoring Frequency/Duration. All ground disturbing activities shall be monitored on a full-time basis by qualified tribal monitor(s) approved by NVTVA, in consultation with the Tribe Contacts and supervised by the project Tribal Cultural Advisor. Duration and timing of monitoring-will be determined by the project Tribal Cultural Advisor. Once ground disturbing activities are completed, the onsite tribal monitoring shall end monitoring activities or recommend that tribal monitoring be reduced to periodic spot-checking, if warranted. Tribal monitoring would be reinstated in the event of any new or unforeseen ground disturbances or discoveries.</p>			
MM TCR-2	<p>Project-related ground disturbing activities are defined as soils testing requiring excavation, installation of concrete pilings, mechanical brush removal, rescrapes, pot-holing or auguring, boring, grading, trenching, foundation excavation, and any other activities requiring ground disturbance involving the moving of dirt or rocks with heavy equipment or hand tools within the project area.</p>	NVTVA, Tribal Cultural Advisor and/or Qualified archeologist	Construction	
MM TCR-3	<p>Prior to initiation of ground disturbing activities, the applicant shall ensure that all on-site project personnel shall receive adequate cultural resource sensitivity training through the project’s Worker Environmental Awareness Program (WEAP). This training shall be developed in collaboration with the project’s Tribal Cultural Advisor or his or her authorized designee. The training shall ensure worker awareness of requirements regarding the protection of tribal cultural resources and the procedures to be implemented in the event that tribal resources are encountered. All training materials related to Tribal cultural resources shall be prepared in collaboration with the project’s Tribal Cultural Advisor or his or her authorized designee and shall be confidential and excluded from public records.</p>	NVTVA, Tribal Cultural Advisor and/or Qualified archeologist	Preconstruction	

MM TCR-4	In the event that unanticipated tribal cultural resources are encountered during ground-disturbing activities, the project Tribal Cultural Advisor and tribal monitor(s) shall notify the project applicants by phone and may halt ground disturbance activities in the immediate area of discovery until further evaluation can be made in determining their significance and appropriate treatment or disposition.	NVTA, Tribal Cultural Advisor	Construction	
MM TCR-5	The Tribe shall have an opportunity to inspect and determine the nature of the discovered resources and the best course of action for further avoidance, protection and/or treatment of tribal cultural resources to the extent permitted by law. If a resource is determined to be a tribal cultural resource of value to the Tribe, the Tribe will coordinate with the project applicant to establish appropriate treatment and disposition of the resources with appropriate dignity; this could include reburial or preservation of resources. The project applicant shall facilitate and ensure that the determination of treatment and disposition by the Tribe is followed to the extent permitted by law. No laboratory studies, scientific analysis, curation, or video recording are permitted for tribal cultural resources without prior written consent of the Tribe.	NVTA, Tribal Cultural Advisor	Construction	