

Attachment 4

Mitigation Monitoring and Compliance Plan

Shingle Springs Rancheria 295.7-Acre Fee-to-Trust Project

Mitigation Monitoring and Compliance Plan

The purpose of this Mitigation Monitoring and Compliance Plan (MMCP) is to guide compliance and implementation of mitigation measures associated with the Shingle Springs Band of Miwok Indians (Tribe) 295.7-Acre Fee-To-Trust Project (Project). The mitigation measures listed in **Table 1** were identified within the Final Environmental Assessment (EA) dated February 2026 and the Mitigated Finding of No Significant Impact (FONSI). This MMCP has been prepared consistent with the requirements of 40 CFR § 1501.6(d) and 1505.3 (c) and includes descriptions of the following:

- The mitigation measures identified within the EA;
- The parties responsible for monitoring and implementing the mitigation measures;
- The anticipated timeframe for implementing and completing the mitigation measures; and
- Compliance standards and entities responsible for the enforcement of the mitigation measures.

Mitigation measures detailed in **Table 1** were included in Section 4 of the EA and will be implemented to reduce potentially significant impacts to biological resources, cultural resources, transportation and circulation, noise, visual resources, and water resources. The Tribe will be the primary agency responsible for funding, monitoring, and/or implementing the mitigation measures, and has committed to the implementation of the mitigation measures as matter of tribal law (see Shingle Springs Tribal Resolution included as Attachment 3 to the FONSI). Implementation of the mitigation measures will occur either during the planning phase, prior to beginning construction-related activities (pre-construction), during construction, or during operation. Where applicable, the mitigation measures will be monitored and enforced pursuant to federal law and agreements between the Tribe and appropriate governmental authorities. Non-compliance could result in the suspension of construction and/or regulatory fines.

Table 1: Mitigation Monitoring and Compliance

Mitigation Measure	Party Responsible for Monitoring and/or Implementation	Timing of Implementation	Enforcement Authority/ ▪ Applicable Regulation	Standard for Determining Compliance
Biological Resources				
Waters of the U.S.				
If impacts to waters of the U.S. and wetland habitat are unavoidable, a 404 permit and 401 Certification under the CWA shall be obtained from the USACE and EPA. Mitigation for loss of waters of the U.S. shall occur at a minimum 1:1 ratio through habitat creation, restoration, or purchase of USACE-approved credits. This may occur along the alignment of the re-routed drainage or within bioretention areas. All permit terms and conditions shall be adhered to.	Tribe	Pre-Construction Phase and Construction Phase	U.S. Army Corp of Engineers, U.S. Environmental Protection Agency, Tribe - Clean Water Act Sections 401 and 404 - Tribal Resolution	A qualified biologist shall be engaged by the Tribe or construction contractor. A letter report shall be prepared by a qualified biologist documenting compliance.
Northwestern Pond Turtle, Foothill Yellow-Legged Frog, and California Red-Legged Frog				
The following measures shall be implemented to avoid construction-phase take of northwestern pond turtle, foothill yellow-legged frog, and California red-legged frog: - To ensure that northwestern pond turtle, foothill yellow-legged frog, and California red-legged frog are not present in construction areas, a qualified biologist shall conduct pre-construction clearance surveys. A qualified biologist is defined as a person who has the educational background, training, and work experience (handling experience and/or permits) required to perform a specific biological task and has been approved by the USFWS. If either of these species are discovered during the survey, project construction activities shall not begin until the USFWS has been consulted and avoidance and minimization measures established and then implemented. - Once the pre-construction surveys confirm that northwestern pond turtle, foothill yellow-legged frog, and California red-legged frog are not present, the construction crew shall immediately install animal exclusion fencing to separate construction areas from marshes and channels proposed for avoidance. The fencing shall be constructed out of plastic weed cloth or construction fabric, shall be keyed into the ground, and shall be supported by stakes and wire mesh, as needed. Fencing shall also be opaque, a minimum of three feet in height, and installed with a smooth material such that it cannot be climbed. A qualified biologist shall oversee the installation of the exclusionary fencing to ensure its suitability. A qualified biologist shall also make regular inspections during the preconstruction period and during the construction periods when grading and other ground disturbance activities are occurring to ensure the integrity of the fence. - All construction personnel shall receive worker environmental awareness training before they enter the construction site. The training program shall include, at a minimum, descriptions of the focal species (northwestern pond turtle, foothill yellow-legged frog, and California red-legged frog, and monarch butterflies), and how to identify and avoid these focal species. Personnel shall be trained to halt work in the event that one of these focal species is observed within the work area and allow the individual to leave the work site on their own. Personnel shall be instructed to limit work activities to the designated construction areas and to properly store equipment and materials in the designated laydown area. A	Tribe	Pre-Construction Phase, Construction Phase, Operation Phase	U.S. Fish and Wildlife Service (USFWS), Tribe - Federal Endangered Species Act - Migratory Bird Treaty Act - Tribal Resolution	A qualified biologist shall be engaged by the Tribe or construction contractor. A letter report shall be prepared by a qualified biologist documenting compliance.

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qualified biologist shall make regular inspections during the construction periods when grading and other ground disturbance activities are occurring to ensure BMPs are being adequately followed. The following measures shall be implemented to minimize impacts to northwestern pond turtle, foothill yellow-legged frog, and California red-legged frog: ▪ The development shall be designed such that culverts, free-span bridges, or similar will be installed where roadways cross drainages. Road crossings of drainages shall be designed such that northwestern pond turtle, foothill yellow-legged frog, and California red-legged frog can freely pass underneath proposed roadways. Additionally, a permanent barrier such as a curb shall be installed around the perimeter of paved areas, with the exception of points of access, to discourage northwestern pond turtle, foothill yellow-legged frog, and California red-legged frog from entering the built environment. Designs of the barrier shall be submitted to USFWS for coordination and approval. The following measure shall be implemented to minimize or avoid operational impacts to monarch butterflies: ▪ Use of insecticides shall be prohibited; use of herbicides shall follow USFWS-approved BMPs. ▪ The development shall utilize only native species in habitat restoration. ▪ Monarchs, other pollinators, and their habitats shall be protected from pesticides, including insecticides, fungicides, and herbicides. The Tribe shall avoid applying herbicides to blooming flowers when monarch butterflies are likely around (October 1 – February 28). ▪ The protection of existing milkweed populations where feasible and the facilitation of expanding milkweed populations through planting. ▪ Landscaping activities shall maximize use of non-chemical weed and pest prevention. ▪ Landscaping plans shall select a mosaic plant palate of native species that bloom throughout the year to the greatest extent feasible. The following measure shall be implemented to avoid impacts to nesting birds: ▪ If construction activities commence during the general nesting season (March to September), a preconstruction nest survey shall be conducted by a qualified biologist on and within 500 feet of proposed construction. If active nests are identified, the qualified biologist shall consult the USFWS to develop measures to avoid “take” of active nests prior to the initiation of any construction activities. ▪ Avoidance measures include establishment of a buffer zone using construction fencing or similar, or the postponement of construction until after the nesting season, or until after a qualified biologist has determined the nest is no longer active. Avoidance buffers may vary in size depending on habitat characteristics, project-related activities, and disturbance levels.				

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Cultural Resources				
▪ In the event that a cultural resource is inadvertently discovered during project activities, work must be halted within 30 feet of the find and a qualified archaeologist (36 CFR Part 61) notified immediately so that an assessment of its potential significance can be undertaken. The BIA Regional Archaeologist must also be notified immediately. Construction activities may continue in other areas, but may not resume in the area of the find until the BIA provides written permission. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and would be discussed in consultation with the BIA, affiliated tribal organizations, and any other relevant regulatory agencies or invested parties, as appropriate. ▪ If human remains are discovered during ground-disturbing activities, the BIA Regional Archaeologist and a Shingle Springs Tribal representative shall be notified immediately. The notice shall be followed up within 24 hours with written documentation stating the geographical location by county and State, the contents of the discovery, and the steps taken to secure and protect the human remains or cultural items, as well as the activity that led to the discovery and confirmation that all activity around the discovery has stopped. No further disturbance shall occur until representatives of the Tribe and BIA have resolved which party will assume primary management authority for the discovery, appropriate measures have been taken and the party with primary management authority has provided written certification to the person responsible for the activity that led to the discovery identifying any measures to protect the discovery if appropriate, and the date on which activity may resume around the discovery (43 CFR § 10.5).	Tribe BIA as needed	Construction Phase	Tribe, BIA ▪ Section 106 of the Tribal Historic Preservation Act ▪ Native American Graves Protection and Repatriation Regulations (NAGPRA). ▪ Tribal Resolution	Requirements shall be identified in construction contracts. Documentation of inadvertent discoveries, excavation and disposition shall be prepared in accordance with NAGPRA (as applicable) and must be approved by the BIA.
Transportation and Circulation				
▪ The Tribe shall optimize the signal timing at the Koto Road/Redhawk Parkway at Honpie Road intersection for the PM, Friday PM, Saturday Midday peak-hours to increase LOS levels at this intersection.	Tribe	Pre-Construction Phase and Construction Phase	Tribe ▪ Tribal Resolution	A letter shall be prepared by a traffic engineer documenting compliance.
Noise				
▪ The Tribe shall construct an 8-foot-tall sound wall (as shown in Figure 3-10 of Final EA Appendix A) to reduce noise impacts from the proposed arena unless future project design changes or other factors result in compliance with the County exterior noise standards at adjacent non-Tribal properties. Future design changes could include additional buffer distance, traffic control measures, or other measures verified by a qualified acoustical engineer.	Tribe	Pre-Construction Phase and Construction Phase	Tribe ▪ Tribal Resolution	A letter report shall be prepared by a qualified acoustical engineer documenting compliance.
Visual Resources				

Mitigation Measure	Party Responsible for Monitoring and/or Implementation	Timing of Implementation	Enforcement Authority/ ▪ Applicable Regulation	Standard for Determining Compliance
▪ The Tribe shall install screens or other physical barriers on the open sides of the parking garage to prevent vehicle lights from shining directly on the adjacent residential area. Screens or other physical barriers shall be required on the north, west and south sides of the parking garage.	Tribe	Pre-Construction Phase and Construction Phase	Tribe ▪ Tribal Resolution	Requirements shall be identified in construction plans.
Water Resources				
▪ All new water supply wells shall be designed and constructed in a manner consistent with the California Well Standards, Combined (Bulletin 74-81 and 74-90). In addition, the setback requirements provided in the County of El Dorado Well Ordinance Section 8.39.090 shall be maintained. ▪ The sustainable yield of each water supply well (new or existing) used to provide water to new dwelling units shall be determined by pump testing of the well, and be certified by a Registered Professional Engineer or Registered Geologist. ▪ All water supply wells (new or existing) used to provide water to new dwelling units shall be operated within the sustainable yield limits identified in Measure T.	Tribe	Planning Phase, Construction Phase, Operation Phase	Tribe ▪ Tribal Resolution	A letter report shall be prepared by a Registered Professional Engineer or Registered Geologist documenting compliance.