

Chandler/Archibald Retail Development

MITIGATION MONITORING AND REPORTING PROGRAM

PROJECT NAME:	Chandler/Archibald Retail Development
PROJECT MANAGER:	Gustavo Gonzalez, Planning Manager
PROJECT DESCRIPTION:	The project would involve a General Plan Amendment and change the zone and construct a gas station with convenience store, a drive-through fast food restaurant, and a fast casual dine-in restaurant on 2.71 acres.
PROJECT LOCATION:	The proposed project is located at the northwest corner of Chandler Street and Archibald Avenue in the City of Eastvale on Assessor Parcel Numbers 144-13-04, -11, -12, -13.
INTRODUCTION:	<p>This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Chandler/Archibald Retail Development. An MMRP is required for the proposed project the Initial Study/Mitigated Negative Declaration (IS/MND) has identified significant adverse impacts, and measures have been identified to mitigate those impacts. This MMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and 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.”</p> <p>As the lead agency, the City of Eastvale Planning Department will be responsible for monitoring compliance with all mitigation measures. Additionally, the City of Eastvale Building Safety Division will be responsible for ensuring certain measures are completed. The MMRP identifies the parties with the responsibility for ensuring the measure is completed; however, it is expected that one or more departments will coordinate efforts to ensure compliance.</p> <p>The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below.</p> <ul style="list-style-type: none">• Source and Mitigation Measure: The mitigation measures are taken from the IS/MND, in the same order they appear in the IS/MND.• Timing: Identifies at which stage of the project the mitigation must be completed.• Monitoring Responsibility: Identifies the department in the City with responsibility for mitigation monitoring.• Date Completed and Signature: Provides a contact who reviewed the mitigation measure and the date the measure was determined complete.

**Mitigation Monitoring and Reporting Program Matrix
Chandler/Archibald Retail Development**

SOURCE	MITIGATION MEASURE	TIMING	MONITORING	DATE COMPLETED	SIGNATURE
<u>BIOLOGICAL RESOURCES</u>					
Draft MND Section 4 – Biological Resources	<p><u>Biological Resources Mitigation Measure 1 (BIO-1)</u></p> <p>Prior to the issuance of a grading permit, a preconstruction burrowing owl clearance survey shall be completed by a qualified biologist within 30 days prior to ground disturbance to avoid direct take of burrowing owls. Once complete, a written report summarizing the results of the clearance survey shall be prepared and submitted to the City of Eastvale for review and concurrence.</p> <ul style="list-style-type: none"> • If no burrowing owls are detected, construction may proceed. If construction is delayed or suspended for more than 30 days during the breeding season (March 1 to August 31), the project site or work area shall be resurveyed. • If burrowing owls are detected on the project site during the breeding season (March 1 to August 31), a 300-foot “no work” buffer shall be established around the active burrow and all work within the buffer shall be halted until the qualified biologist has determined through non-intrusive methods that the nesting effort is complete (i.e., all young have fledged). Once the nesting effort is complete or if a burrowing owl burrow is detected on-site during the non-breeding season (September 1 to February 28), passive and/or active relocation of burrowing owls may be implemented by a qualified biologist following consultation and approval from the City of Eastvale, the Western Riverside County Regional Conservation Authority, and the California 	Prior to the issuance of a grading permit, within 30 days prior to ground disturbance	Qualified Biologist		

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	Department of Fish and Wildlife.				
Draft MND Section 4 – Biological Resources	<p><u>Biological Resources Mitigation Measure 2 (BIO-2)</u></p> <p>Pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat shall be conducted outside the avian nesting season. The nesting season generally extends from February 1 through August 31, but can vary slightly from year to year based on seasonal weather conditions. If ground disturbance and vegetation removal cannot occur outside of the nesting season, a preconstruction clearance survey for nesting birds shall be conducted within 30 days of the start of any ground-disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the preconstruction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptors and special-status species, this buffer will be expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can occur.</p>	Within 30 days of the start of any ground- disturbing activities	Qualified Biologist		

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CULTURAL RESOURCES					
Draft MND Section 5 – Cultural Resources	<p><u>Cultural Resources Mitigation Measure 1 (CUL-1)</u></p> <p>If cultural resources are encountered during ground-disturbing activities, work in the immediate area shall cease and an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for Archaeology shall be contacted immediately to evaluate the find(s). If the discovery proves to be significant under the California Environment Quality Act, additional work such as data recovery excavation may be warranted and shall be reported to the City.</p>	During ground-disturbing activities	Qualified Archaeologist		
GREENHOUSE GAS EMISSIONS					
Draft MND Section 8 – Greenhouse Gas Emissions	<p><u>Greenhouse Gas Emissions Mitigation Measure 1 (GHG-1)</u></p> <p>The project shall incorporate the following California Air Pollution Control Officers Association-based reduction measures and regulatory compliance:</p> <ul style="list-style-type: none"> Utilize low-flow fixtures that would reduce indoor water demand by 20 percent per CALGreen Standards. Implement recycling programs that reduce waste to landfills by a minimum of 75 percent (per AB 341). Incorporate the following land use and site enhancement reduction measures: LUT-1 Increase Density, LUT-4 Improve Destination Accessibility, LUT-5 Increase Transit Accessibility, and SDT-1 Improve Pedestrian Network. 	Prior to Construction	City Planning Department		

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Draft MND Section 8 – Greenhouse Gas Emissions	<p><u>Greenhouse Gas Emissions Mitigation Measure 1 (GHG-2)</u></p> <p>The project shall incorporate the following design features:</p> <ul style="list-style-type: none"> • The project applicant shall require that all faucets, toilets, and showers installed in the proposed structures utilize low-flow fixtures that would reduce indoor water demand by 20 percent per CALGreen standards. • The project applicant shall require recycling programs that reduce waste to landfills by a minimum 75 percent per AB 341. 	Prior to Construction	City Planning Department		
<u>NOISE</u>					
Draft MND Section 13 - Noise	<p><u>Noise Mitigation Measure 1 (NOI-1)</u></p> <p>The construction contractor(s) shall place all stationary construction equipment so that emitted noise is directed away from the noise-sensitive receptors nearest the project site.</p>	During Construction Activities	City of Eastvale Building Safety Division		
Draft MND Section 13 - Noise	<p><u>Noise Mitigation Measure 2 (NOI-2)</u></p> <p>The construction contractor(s) shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 6:00 AM to 6:00 PM June through September, and 7:00 AM to 6:00 PM October through May).</p>	During Construction Activities	City of Eastvale Building Safety Division		

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Draft MND Section 13 - Noise	<p><u>Noise Mitigation Measure 3 (NOI-3)</u></p> <p>The contractor shall install temporary construction noise barriers/blankets along the western boundary. The barrier/blankets shall be solid with no cracks or holes and shall also reach to the ground.</p>	During Construction Activities	City of Eastvale Building Safety Division		
Draft MND Section 13 - Noise	<p><u>Noise Mitigation Measure 4 (NOI-4)</u></p> <p>During all project construction phases on-site, construction contractors shall equip all construction equipment, fixed or mobile, with either properly operating and maintained mufflers or enclosures/acoustical tents (as appropriate) that achieve at least 12 dB reduction from applicable noise level specifications.</p>	During Construction Activities	City of Eastvale Building Safety Division		
Draft MND Section 13 - Noise	<p><u>Noise Mitigation Measure 5 (NOI-5)</u></p> <p>The contractor shall restrict the use of jackhammers within 15 feet, loaded trucks within 25 feet, and large bulldozers within 28 feet of the residential structure located at the western project boundary.</p>	During Construction Activities	City of Eastvale Building Safety Division		
<u>TRANSPORTATION</u>					
Draft MND Section 17 – Transportation	<p><u>Transportation Mitigation Measure 1 (TRA-1)</u></p> <p>Traffic Management Plan. Prior to the initiation of construction, the project applicant shall prepare a Traffic Management Plan (TMP) for approval by the City of Eastvale Traffic Engineer. The TMP shall comply with state standards set forth in the California Manual of Uniform Traffic Control Devices and include measures such as construction signage, limitations on timing for lane closures to avoid peak hours, temporary striping plans, and the need for a construction flag-person to direct</p>	Prior to the initiation of construction	City of Eastvale Traffic Engineer		

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	traffic during heavy equipment use. The TMP shall specify that one direction of travel in each direction must always be maintained for Chandler Street throughout project construction. The TMP shall be incorporated into project specifications for verification prior to final plan approval.				
<u>TRIBAL CULTURAL RESOURCES</u>					
Draft MND Section 18 - Tribal Cultural Resources	<p><u>Tribal Cultural Resources Mitigation Measure 1 (TCR-1)</u></p> <p>Tribal Monitoring. Prior to the issuance of a grading permit, the project applicant shall contact the consulting tribe(s) with notification of the proposed grading and shall make a good-faith effort, as determined by the City's Development Director, to enter into a Tribal Cultural Resources Monitoring Agreement with each tribe that determines its tribal cultural resources may be present on the site. The agreements shall include, but not be limited to, outlining provisions and requirements for addressing the handling of tribal cultural resources; Project grading and development scheduling; terms of compensation for the tribal monitors; and establishing on-site monitoring provisions and/or requirements for professional tribal monitors during all ground-disturbing activities. The terms of the agreements shall not conflict with any of these mitigation measures. A copy/copies of the agreement(s) shall be provided to the City of Eastvale Planning Department prior to the issuance of a grading permit.</p>	Prior to the issuance of a grading permit	Project Applicant, City of Eastvale Development Director		
Draft MND Section 18 - Tribal Cultural Resources	<p><u>Tribal Cultural Resources Mitigation Measure 2 (TCR-2)</u></p> <p>Archaeological Monitoring. At least 30 days prior to application for a grading permit and before any grading, excavation and/or ground disturbing activities on the site take place, the project applicant shall retain a Secretary of Interior Standards-qualified, Registered Professional Archaeologist (RPA), as an archaeological monitor to</p>	At least 30 days prior to application for a grading permit and before any grading, excavation	Project applicant, Secretary of Interior Standards-qualified, Registered Professional		

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	<p>monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Ground-disturbing activities may include, but are not limited to, pavement removal, potholing or auguring, grubbing, weed abatement, boring, grading, excavation, drilling, and trenching. The on-site archaeological monitoring would end when the project site grading and excavation activities are completed, or when the monitor has indicated that the site has a low potential for archeological resources. The Project Registered Professional archaeologist, in consultation with consulting Tribe(s) identified above, and the developer, shall develop an Archaeological Monitoring Plan to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site and provide the plan to the City for approval. Details in the plan shall include:</p> <ul style="list-style-type: none"> A. Project grading and development scheduling. B. The development of a rotating or simultaneous schedule in coordination with the project applicant and the project archeologist for designated Native American tribal monitors from the consulting tribes during grading, excavation and ground-disturbing activities on the site. C. The safety requirements, duties, scope of work, and Native American tribal monitors' authority to stop and redirect grading activities in coordination with all Project archaeologists. D. The protocols and stipulations that the developer, tribes and project archaeologist 	and/or ground disturbing activities	Archaeologist (RPA), and Tribal Monitor		

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	<p>will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.</p>				
<p>Draft MND Section 18 - Tribal Cultural Resources</p>	<p><u>Tribal Cultural Resources Mitigation Measure 3 (TCR-3)</u></p> <p>Treatment and Disposition of Cultural Resources. If tribal cultural resources are inadvertently discovered during ground disturbing activities for this project. The following procedures will be carried out for treatment and disposition of the discoveries:</p> <p>A. Temporary Curation and Storage. During the course of construction, all discovered resources shall be temporarily curated in a secure location on-site or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process.</p> <p>B. Treatment and Final Disposition. The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City Planning Department with documentation of same:</p> <p>i. Reburial on-site. Accommodate the process for on-site reburial of the discovered items with the consulting</p>	<p>During ground disturbing activities</p>	<p>Project applicant, Tribal monitor, Project Archaeologist, City Planning Department</p>		

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	<p>tribes. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed.</p> <p>ii. Curation. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists or researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation.</p> <p>iii. Disposition Dispute. If more than one tribe is involved with the project and cannot come to a consensus as to the disposition of cultural materials, they shall be curated at the Western Science Center.</p> <p>iv. Final Report. At the completion of grading, excavation and ground disturbing activities on the site, a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the project archaeologist and tribal monitors within 60 days of completion of grading. This report shall:</p>				

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	<ul style="list-style-type: none"> ○ Document the impacts to the known resources on the property; ○ Describe how each mitigation measure was fulfilled; ○ Document the type of cultural resources recovered and the disposition of such resources; ○ Provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; ○ In a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. ○ All reports produced will be submitted to the City, Eastern Information Center and consulting tribes. 				
Draft MND Section 18 - Tribal Cultural Resources	<p><u>Tribal Cultural Resources Mitigation Measure 4 (TCR-4)</u></p> <p>Discovery of Human Remains. If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains. The following procedures as set forth in the California Environmental Quality Act (CEQA), Section 15064.5(e), the California Public Resources Code (PRC) (Section 5097.98), and the State Health and Safety Code (Section 7050.5) shall then be undertaken:</p> <p>If human remains or funerary/sacred items are encountered, the archaeological monitor or tribal monitor will halt work within the immediate area and any</p>	During ground disturbing activities	Archaeological monitor or Tribal monitor		

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	<p>nearby area reasonably suspected to overlie adjacent remains, establish an Environmentally Sensitive Area (ESA) boundary to protect the find from impact, and immediately notify the City Archaeologist. Project work outside the established ESA may continue. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the Riverside County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, s/he shall notify the NAHC in Sacramento within 48 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.</p>				