

10336 Alder Avenue Industrial Project

Initial Study P201900293

Mitigation Monitoring Plan

Terms and Definitions:

1. **Property Owner/Developer** – Owner or developer of 10336 Alder Avenue Industrial Project
2. **Environmental Equivalent/Timing** – Any mitigation measure and timing thereof, subject to the approval of the County, which will have the same or superior result and will have the same or superior effect on the environment. The Planning Department, in conjunction with any appropriate agencies or County departments, shall determine the adequacy of any proposed "environmental equivalent/timing" and, if determined necessary, may refer said determination to the Planning Commission. Any costs associated with information required in order to determine environmental equivalency/timing shall be done by the property owner/developer. Staff time for reviews will be charged on a time and materials basis at the rate in the County's adopted Fee Schedule.
3. **Timing** – This is the point where a mitigation measure must be monitored for compliance. In the case where multiple action items are indicated, it is the first point where compliance associated with the mitigation measure must be monitored. Once the initial action item has been complied with, no additional monitoring pursuant to the Mitigation Monitoring Plan will occur, as routine County practices and procedures will ensure that the intent of the measure has been complied with. For example, if the timing is "to be shown on approved building plans" subsequent to issuance of the building permit consistent with the approved plans will be final building and zoning inspections pursuant to the building permit to ensure compliance.
4. **Responsibility for Monitoring** – Shall mean that compliance with the subject mitigation measure(s) shall be reviewed and determined adequate by all departments listed for each mitigation measure. Outside public agency review is limited to those public agencies specified in the Mitigation Monitoring Plan which have permit authority in conjunction with the mitigation measure.
5. **Ongoing Mitigation Measures** – The mitigation measures that are designated to occur on an ongoing basis as part of this Mitigation Monitoring Plan will be monitored in the form of an annual letter from the property owner/developer in January of each year demonstrating how compliance with the subject measure(s) has been achieved. When compliance with a measure has been demonstrated for a period of one year, monitoring of the measure will be deemed to be satisfied and no further monitoring will occur. For measures that are to be monitored "Ongoing During Construction", the annual letter will review those measures only while construction is occurring; monitoring will be discontinued after construction is complete. A final annual letter will be provided at the close of construction.
6. **Building Permit** – For purposes of this Mitigation Monitoring Plan, a building permit shall be defined as any permit issued for construction of a new building or structural expansion or modification of any existing building but shall not include any permits required for interior tenant improvements or minor additions to an existing structure or building.

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V. CULTURAL RESOURCES				
MM CUL-1	Prior to the issuance of a grading permit	<p>Unanticipated Discovery of Human Remains and Associated Funerary Objects: Prior to the issuance of a grading permit, the Property Owner/Developer shall include the following note on the plans: Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC) and PRC 5097.98 shall be followed.</p>	Planning Department	
VII. GEOLOGY AND SOILS				
MM GEO-1	Prior to the issuance of a grading permit	The Property Owner/Developer, or any successor in interest, shall include a note on that plans that would require paleontological monitoring when project excavations impacts older Quaternary Alluvium. The paleontological monitor shall collect sediment samples from the older deposits to determine their small fossil potential. If unanticipated paleontological resources are discovered during ground disturbance	Planning Department	

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		<p>activities, the Property Owner/Developer shall follow these procedures:</p> <ul style="list-style-type: none"> • All ground disturbance activities within 100 feet of the discovered paleontological resource shall be halted until a qualified paleontologist is able to identify and evaluate the significance of the find. • The Property Owner/Developer shall call the Community Development Director or their designee immediately upon discovery of the paleontological resource to convene a meeting between the Community Development Director or their designee, the Property Owner/Developer, and the qualified paleontologist. • At the meeting with the aforementioned parties, the significance of the discoveries shall be discussed and a decision is to be made, with the concurrence of the Community Development Director or their designee, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the paleontological resource. • Further ground disturbance shall not resume within the area of the discovery until a meeting has been convened with the parties and a decision is made, with the concurrence of the Community Development Director or their designee, as to the appropriate mitigation measures. 		

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IX. NOISE				
MM-NOI-1	Prior to the issuance of a grading permit	<p>The Property Owner/Developer shall include a note on the plans that the Property Owner/Developer and Construction Contractor shall comply with the following noise reduction and notification measures:</p> <ul style="list-style-type: none"> • Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices. • The Property Owner/Developer shall send a notice at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the Proposed Project, to property owners and occupants located within 200 feet of the project boundary. The Property Owner/Developer shall post a sign on the Project Site containing contact information for a Noise Disturbance Coordinator, legible at 50 feet. All notices and signs shall be reviewed and approved by the County of San Bernardino Community Development Director (or designee), prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints. • The Construction Contractor shall provide evidence that a construction staff member will be designated as a Noise Disturbance Coordinator and will be present on-site during construction activities. The Noise Disturbance Coordinator shall be responsible for 	Planning and Building Department	

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		<p>responding to any local complaints about construction noise. When a complaint is received, the Noise Disturbance Coordinator shall notify the County within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Community Development Director (or designee). All notices that are sent to residential units immediately surrounding the construction site and all signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator.</p> <ul style="list-style-type: none"> • Prior to issuance of any grading or building permit, the Property Owner/Developer shall demonstrate to the satisfaction of the Community Development Director (or Designee) that construction noise reduction methods shall be used where feasible. These reduction methods include shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and electric air compressors and similar power tools. • The Property Owner/Developer shall design construction haul routes to avoid noise sensitive uses (e.g., residences, convalescent homes, etc.), to the extent feasible. • The Construction Contractor shall place stationary construction equipment such that emitted noise is directed away from sensitive 		

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		<p>noise receivers.</p> <ul style="list-style-type: none"> Construction activities shall not take place outside of the allowable hours specified by the San Bernardino County Code Section 83.01.080 (from 7:00 a.m. to 7:00 p.m. on weekdays, except Sundays and Federal holidays). 		

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XVIII. TRIBAL CULTURAL RESOURCES				
MM TCR-1	Prior to the issuance of a grading permit	<p>Retain a Native American Monitor/Consultant: Prior to the issuance of a grading permit, the Property Owner/Developer shall retain and compensate for the services of a Tribal monitor/consultant who is both approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and is listed under the NAHC's Tribal Contact list for the area of the project location. This list is provided by the NAHC. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.</p>	Planning Department	

MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
MM TCR-2	Prior to the issuance of a grading permit	<p>Unanticipated Discovery of Tribal Cultural and Archaeological Resources: Prior to the issuance of a grading permit, the Property Owner/Developer shall include the following note on the plans: Ongoing during construction, upon discovery of any archaeological resources, the Construction Contractor shall cease construction activities in the immediate vicinity of an unanticipated find until it can be assessed by a qualified archaeologist and tribal monitor/consultant approved by the Gabrieleño Band of Mission Indians-Kizh Nation. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with the Property Owner/Developer regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5 [f]). If a resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource”, time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources.</p>	Planning Department	

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MM TCR-3	Prior to the issuance of a grading permit	Public Resources Code Sections 21083.2(b) for unique archaeological resources. Prior to the issuance of a grading permit, the Property Owner/Developer shall include the following note on the plans: Preservation in place (i.e., avoidance) is 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. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to a local school or historical society in the area for educational purposes.	Planning Department	

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MM TCR-4	Prior to the issuance of a grading permit	Prior to the issuance of a grading permit, the Property Owner/Developer shall include the following note on the plans: Upon discovery, the tribal and/or archaeological monitor/consultant/consultant will immediately divert work at minimum of 150 feet and place an exclusion zone around the burial. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).	Planning Department	

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MM TCR-5	Prior to the issuance of a grading permit	<p>Kizh-Gabrieleno Procedures for burials and funerary remains: Prior to the issuance of a grading permit, the Property Owner/Developer shall include the following note on the plans: If the Gabrieleno Band of Mission Indians – Kizh Nation is designated MLD, the following treatment measures shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. These remains are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.</p>	Planning Department	
MM TCR-6	Prior to the issuance of a grading permit	<p>Treatment Measures: Prior to the issuance of a grading permit, the Property Owner/Developer shall include the following note on the plans: Prior to the continuation of ground disturbing activities, the Property Owner/Developer shall arrange a designated site location within the footprint of the Project Site for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the</p>	Planning Department	

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		<p>same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive diagnostics on human remains.</p> <p>Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural</p>		

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		<p>patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p>		
MM TCR-7	Prior to the issuance of a grading permit	<p>Professional Standards: Prior to the issuance of a grading permit, the Property Owner/Developer shall include the following note on the plans: Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.</p>		