

Mitigation Monitoring and Reporting Program

Speedway Commerce Center Project

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Section 1: Authority

This environmental Mitigation Monitoring and Reporting Program (Program) has been prepared pursuant to §21081.6 of the *California Environmental Quality Act* (CEQA) (Public Resources Code §21000 et seq.), and CEQA Guidelines (14 Cal. Code Regs. §15000 et seq.) §§15091(d) and 15097, to ensure implementation of and provide for the monitoring of mitigation measures required of the Speedway Commerce Center Project (Project), as set forth in the Final Environmental Impact Report (FEIR) prepared for the Project. This report will be kept on file in the offices of the CEQA Lead Agency, the City of Rancho Cucamonga (City).

As noted in the EIR, the Project has been designed to avoid sensitive resources, as reflected in Project design plans and in Project Design Features (PDFs). The EIR also addresses the potential environmental impacts of the Project, and, where appropriate, recommends mitigation measures to avoid or substantially lessen significant environmental impacts. The Program detailed in the matrix table below is designed to monitor and ensure implementation of all mitigation measures that are adopted for the Project.

The City is the Lead Agency for the Project and assumes ultimate enforcement responsibilities for implementation of all mitigation measures listed in this Program. The City may assign responsibility for implementation or monitoring to appropriate designees such as a construction manager or third-party monitor. However, as the Lead Agency, the City remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with this Program. In some cases, the City is required to secure permits or approvals from third-party agencies in order to implement a mitigation measure. In these cases, the City is responsible for verifying that such permits or approvals have been obtained in accordance with the conditions stipulated in the mitigation measure. The City's existing planning, engineering, operations, and procurement review and inspection processes will be used as the basic foundation for the Program procedures and will also serve to provide the documentation for the reporting program.

Section 2: Monitoring Schedule

Prior to construction, while detailed design plans are being prepared by City staff or its agents, City staff will be responsible for ensuring compliance with mitigation monitoring applicable to the Project construction, development, and design phases. Once construction has begun and is underway, monitoring of the mitigation measures associated with construction will be included in the responsibilities of City staff, who shall prepare or cause to be prepared periodic monitoring reports, as appropriate. Regulatory agencies will have to harmonize CEQA mitigation with regulatory permit conditions and monitoring/reporting as part of the regulatory permitting process and will likely require submittal of formal monitoring reports. Once construction has been completed, the City will monitor the Project as specified in the mitigation measures.

Section 3: Support Documentation

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the Project file with the Program and shall be made available to the public upon request.

Section 4: Format of Mitigation Monitoring Matrix

The mitigation monitoring matrix on the following pages identifies the environmental issue areas for which monitoring is required, the required mitigation measures, the time frame for monitoring, and the responsible implementing and monitoring agencies.

Section 5: Definitions

The following list provides definitions for acronyms used in the mitigation monitoring and reporting program.

<i>Acronyms/Abbreviation</i>	<i>Description</i>
AES.....	Aesthetics
AQ.....	Air Quality
ARB	Air Resources Board
BACT.....	Best Available Control Technology
BIO.....	Biological Resources
BMP.....	Best Management Practice
CC&Rs	Covenants, Conditions, and Restrictions
CCR	California Code of Regulations
CDFW.....	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CFD.....	Community Facilities Districts
CFR	Code of Federal Regulations
CGC	California Government Code
CRMP.....	Cultural Resources Monitoring Plan
CTR.....	Commute Trip Reduction
CUL.....	Cultural Resources
DBESP	Determination of Biologically Equivalent or Superior Preservation
DEIR	Draft Environmental Impact Report
DTSC.....	Department of Toxic Substances Control
EIR.....	Environmental Impact Report
ESA	environmental site assessment
EV.....	electric vehicle
FMZ	fuel modification zone
GEO	Geology and Soils
GHG.....	Greenhouse Gas
GP	General Plan
HANS	Habitat Evaluation and Acquisition Negotiation Strategy
HAZ	Hazards and Hazardous Materials
HSC.....	Health and Safety Code
HVAC.....	heating, ventilation, and air conditioning
HYD	Hydrology and Water Quality
JD.....	Jurisdictional Delineation
MC	municipal code
MM	mitigation measure
MOU.....	Memorandum of Understanding
mph.....	miles per hour
NOI.....	Noise

NOI.....	Notice of Intent
NPDES.....	National Pollutant Discharge Elimination System
O&M.....	Operations & Management
PRC.....	Public Resources Code
PRD	Permit Registration Documents
SCAQMD	South Coast Air Quality Management City
SMARTS.....	Storm Water Multiple Application and Report Tracking System
SWPPP.....	Stormwater Pollution Prevention Plan
TDM	Transportation Demand Management
TIA.....	Traffic Impact Analysis
TRAN	Transportation
U.S. EPA.....	U.S. Environmental Protection Agency
USACE.....	U.S. Army Corps of Engineers
USFWS.....	U.S. Fish and Wildlife Service
VOC	volatile organic compound
WEAP.....	Worker Environmental Awareness Program
WH	Wildfire Hazards

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Mitigation Monitoring and Reporting Program

Mitigation Measures	Responsibility for Implementation	Timing of Implementation	Responsibility for Monitoring and Verification	City Verification of Compliance (Date/Initials)
AIR QUALITY				
<p>MM AQ-1: Prior to issuance of occupancy permits for the Project, the Project operator shall prepare and submit a Transportation Demand Management (TDM) program for review and approval of the City of Rancho Cucamonga detailing strategies that would reduce the use of single-occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool and transit. The TDM shall include, but is not limited to the following:</p> <ul style="list-style-type: none"> ▪ Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options; ▪ Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the project site; ▪ Provide on-site car share amenities for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day; ▪ Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service; and ▪ Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users. ▪ Provide meal options on-site or shuttles between the facility and nearby meal destinations. 	Project Applicant	Prior to issuance of occupancy permits	City of Rancho Cucamonga	

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<p>MM AQ-2: For the Project, electrical hookups shall be provided at all loading bays for truckers to plug in any onboard auxiliary equipment and power refrigeration units while their truck is stopped.</p>	Project Applicant	Prior to issuance of occupancy permits	City of Rancho Cucamonga	
<p>MM AQ-3: All truck access gates and loading docks (both interior- and exterior-facing signs) within the Project site shall have a sign posted that states:</p> <ul style="list-style-type: none"> ▪ Truck drivers shall turn off engines when not in use. ▪ Truck drivers shall shut down the engine after five minutes of continuous idling operation. Once the vehicle is stopped, the transmission is set to “neutral” or “park,” and the parking brake is engaged. ▪ Telephone numbers of the building facilities manager and CARB to report Violations. 	Project Applicant	Prior to issuance of occupancy permits	City of Rancho Cucamonga	
<p>MM AQ-4: The Project will require contractors and building operator(s) (by contract specifications) to utilize on-road heavy-duty diesel trucks with a gross vehicle weight rating greater than 14,000 pounds to meet or exceed 2010 engine emission standards or to be equipped with a particulate matter trap (as available) or to be powered by natural gas, electricity, or other diesel alternative.</p>	Project Applicant	Prior to issuance of occupancy permits	City of Rancho Cucamonga	
<p>MM AQ-5: Prior to the issuance of building permits for the Project, the City of Rancho Cucamonga Building and Safety Department shall confirm that applicable Project plans and specifications indicate that refrigerated space for the Project does not exceed 56,000 square feet.</p>	Project Applicant	Prior to the issuance of building permits	City of Rancho Cucamonga Building and Safety Department	
<p>MM AQ-6: Post signs at every truck exit driveway providing directional information to the truck route, <u>so that trucks will not travel on Arrow Route and Foothill Boulevard next to or near sensitive land uses (e.g., residences).</u></p>	Project Applicant	Prior to the issuance of building permits	City of Rancho Cucamonga Building and Safety Department	

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<p>MM AQ-7: The Applicant shall make its tenants aware of the funding opportunities, such as the Carl Moyer Memorial Air Quality Standards Attainment Program (Moyer Program), and other similar funding opportunities, by providing applicable literature available from the California Air Resources Board (CARB). The Moyer Program On-Road Heavy-Duty Vehicles Voucher Incentive Program (VIP) provides funding to individuals seeking to purchase new or used vehicles with 2013 or later model year engines to replace an existing vehicle that is to be scrapped.</p>	Project Applicant	Prior to issuance of occupancy permits	City of Rancho Cucamonga Building and Safety Department	
BIOLOGICAL RESOURCES				
<p>MM BIO-1: In accordance with the CDFG Staff Report on Burrowing Owl (2012), a qualified biologist shall conduct a pre-construction presence/absence survey for burrowing owls between 30 and 14 days prior to site disturbance. If burrowing owls are detected on-site, <u>the qualified biologist shall contact California Department of Fish and Wildlife (CDFW) and conduct an impact assessment in accordance with Staff Report on Burrowing Owl Mitigation prior to commencing project activities to determine appropriate mitigation, including the acquisition and conservation of occupied replacement habitat at no less than a 2:1 ratio and</u> the owls shall be relocated/excluded from the site outside of the breeding season following accepted protocols, and subject to approval by CDFW. <u>A qualified biologist shall prepare and submit a passive relocation program in accordance with Appendix F (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW’s Staff Report on Burrowing Owl Mitigation (CDFG 2012) for CDFW review/approval prior to the commencement of disturbance activities on-site. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW. Prior to passive relocation, suitable replacement burrows site(s) shall be provided within adjacent open space lands and/or other off-site lands.</u></p>	Project Biologist	Prior to ground-disturbing activities	City of Rancho Cucamonga	

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<p><u>as approved by CDFW at a ratio of 2:1 and permanent conservation and management of burrowing owl habitat such that the habitat acreage, number of burrows and burrowing owl impacts are replaced consistent with the Staff Report on Burrowing Owl Mitigation including its Appendix A within designated adjacent conserved lands identified through coordination with CDFW. A qualified biologist shall confirm the natural or artificial burrows on the conservation lands are suitable for use by the owls. Monitoring and management of the replacement burrow site(s) shall be conducted and a reporting plan shall be prepared. The objective shall be to manage the replacement burrow sites for the benefit of burrowing owls (e.g., minimizing weed cover), with the specific goal of maintaining the functionality of the burrows for a minimum of 2 years.</u></p>				
<p>MM BIO-2: Vegetation clearing should be conducted outside of the nesting season (<u>typically</u> February 1 through August 31). If avoidance of the nesting season cannot be accomplished, then a qualified biologist shall conduct a nesting bird survey <u>in all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures, at the appropriate time of day/night, during appropriate weather conditions</u> within three days prior any disturbance of the site, including disking and grading. <u>Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior (e.g., copulation, carrying of food or nest materials, nest building, removal of fecal sacks, flushing suddenly from atypically close range, agitation, aggressive interactions, feigning injury or distraction displays, or other behaviors).</u> If active nests are identified, the biologist shall establish suitable buffers around the nests, and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Typically established buffers are greater for raptors than songbirds and depend upon the species, the nesting stage, and type of construction activity proposed. The buffer should generally be a minimum of 300 feet for raptors and 100 feet for songbirds; unless <u>a smaller buffer is</u> specifically determined by a</p>	Project Biologist	Prior to ground-disturbing activities	City of Rancho Cucamonga	

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qualified biologist familiar with the nesting phenology of the nesting species.				
CULTURAL RESOURCES				
<p>MM CUL-1: In the unlikely event that cultural resources, as identified by a qualified historian or archaeologist, are exposed during construction of the Project, all ground disturbing activities within 100-feet of the potential resource(s) shall be suspended. A qualified archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards, shall evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find, the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery, may be warranted and shall be submitted to the Development Services Director or his/her designee. If the resource(s) are determined to be Native American in origin, the Project archaeologist shall notify the appropriate Native American Tribe(s) from a list provided by the City.</p>	Project Archeologist	Prior to issuance of grading permit	City of Rancho Cucamonga	
GEOLOGY AND SOILS				
<p>MM GEO-1: Prior to the issuance of any grading permit or building permit, City Staff shall review all Project plans involving grading, foundation, structural, infrastructure, and all other relevant construction to ensure compliance with the applicable recommendations from the Geotechnical Investigation and other applicable Code requirements. Specific design considerations as outlined in the Geotechnical Investigation included in Appendix D shall be implemented to minimize the risk for geological hazards included in the Project construction plans.</p>	Project Applicant	Prior to issuance of grading and building permit	City of Rancho Cucamonga	
<p>MM GEO-2: Worker’s Environmental Awareness Program (WEAP). Prior to the start of the proposed Project activities, all field personnel will receive a worker’s environmental awareness training on paleontological resources. The training will provide a description of the</p>	Project Applicant and Qualified Paleontologist	Prior to the start of the proposed Project activities	City of Rancho Cucamonga	

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<p>laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the Project area, the role of the paleontological monitor, outline steps to follow in the event that a fossil discovery is made, and provide contact information for the Project Paleontologist. The training will be developed by the Project Paleontologist and can be delivered concurrent with other training including cultural, biological, safety, etc.</p>				
<p>MM GEO-3: Paleontological Mitigation Monitoring. Prior to the commencement of ground-disturbing activities, a professional paleontologist, defined as a paleontologist who meets the Society of Vertebrate Paleontology standards for Qualified Professional Paleontologist, will be retained by the Project Applicant to prepare and implement a Paleontological Resources Mitigation and Monitoring Plan (PRMMP) for the proposed Project. The PRMMP will describe the monitoring required during excavations that extend into older Quaternary (Pleistocene) age sediments, and the location of areas deemed to have a high paleontological resource potential. The City shall have final review and approval of the PRMMP. Monitoring will entail the visual inspection of excavated or graded areas and trench sidewalls. If the Project Paleontologist determines full-time monitoring is no longer warranted, based on the geologic conditions at depth, he or she may recommend that monitoring be reduced or cease entirely.</p>	<p>Project Applicant and Qualified Paleontologist</p>	<p>Prior to the commencement of ground-disturbing activities</p>	<p>City of Rancho Cucamonga</p>	
<p>MM GEO-4: Fossil Discoveries. In the event that a paleontological resource is discovered, the monitor will have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. If the resource is determined to be of scientific significance, the Project Paleontologist shall complete the following:</p> <ol style="list-style-type: none"> 1. <u>Salvage of Fossils.</u> If fossils are discovered, all work in the immediate vicinity should be halted to allow the paleontological monitor, and/or Project Paleontologist to evaluate the discovery and determine if the fossil may be considered significant. If the fossils 	<p>Project Paleontologist</p>	<p>During the discovery of a paleontological resource</p>	<p>Paleontological monitor and/or Project Paleontologist</p>	

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<p>are determined to be potentially significant, the Project Paleontologist (or paleontological monitor) should recover them following standard field procedures for collecting paleontological as outlined in the PRMMP prepared for the project. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist should have the authority to temporarily.</p> <p>2. <u>Fossil Preparation and Curation</u>. The PRMMP will identify the museum that has agreed to accept fossils that may be discovered during project-related excavations. Upon completion of fieldwork, all significant fossils collected will be prepared in a properly equipped laboratory to a point ready for curation. Preparation may include the removal of excess matrix from fossil materials and stabilizing or repairing specimens. During preparation and inventory, the fossils specimens will be identified to the lowest taxonomic level practical prior to curation at an accredited museum. The fossil specimens must be delivered to the accredited museum or repository no later than 90 days after all fieldwork is completed. The cost of curation will be assessed by the repository and will be the responsibility of the client.</p>				
<p>MM GEO-5: Final Paleontological Resources Mitigation Monitoring Report. Upon completion of ground-disturbing activity (and curation of fossils if necessary) the Project Paleontologist should prepare a final mitigation and monitoring report outlining the results of the paleontological resources mitigation and monitoring program, or PRMMP. The report should include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.</p>	Project Paleontologist	Upon completion of ground-disturbing activity (and curation of fossils if necessary)	City of Rancho Cucamonga and the Project Paleontologist	

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HAZARDS AND HAZARDOUS MATERIALS				
<p>MM HAZ-1: If a proposed use at the Project has a threshold quantity of a regulated substance greater than as specified by the applicable health and safety code, the user shall prepare and implement a Hazardous Materials Risk Management Plan for facilities that store, handle, or use regulated substances as defined in the California HSC25532 (g) in excess of threshold quantities. This plan shall be reviewed and approved by the San Bernardino County Department of Environmental Health through the Certified Unified Program Agencies (CUPA) process prior to implementation as required by the California Accidental Release Prevention (CalARP) Program.</p>	Project Applicant	Prior to issuance of grading permit	San Bernardino County Department of Environmental Health and the City of Rancho Cucamonga	
<p>MM HAZ-2: If the site development plans involve a net export of soil from the Project site, a Soil Management Plan shall be prepared by a qualified hazardous material specialist to manage off-site reuse or disposal options based on the presence of anthropogenic chemicals in the soil. The Plan would be submitted to the City for review and approval.</p>	Project Applicant and a Qualified Hazardous Material Specialist	Prior to construction	City of Rancho Cucamonga	
TRIBAL CULTURAL RESOURCES				
<p>MM TCR-1: Tribal Cultural Resources Discovery: The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in TCR-2, of any pre-contact cultural resources discovered during Project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the Project archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the Project, should SMBMI elect to place a monitor on-site.</p>	Project Applicant and a Tribal monitor/consultant	Prior to the commencement of ground-disturbing activities	City of Rancho Cucamonga	

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<p>MM TCR-2: Archeological/Cultural Documents: Any and all archaeological/cultural documents created as a part of the Project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the Project.</p>	Project Applicant	Prior to the commencement of ground-disturbing activities	City of Rancho Cucamonga	
<p>MM TCR-3: Retain an Archeologist and/or Native American Monitor/Consultant: The Project Applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are 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>	Project Applicant and a Tribal monitor/consultant	Prior, During, and completion of ground-disturbing activities	City of Rancho Cucamonga	