

Appendix E – Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM

The Final Initial Study-Mitigated Negative Declaration identifies the mitigation measures that will be implemented to reduce the impacts associated with the Five Corner Comprehensive Pedestrian Improvement Project. The California Environmental Quality Act (CEQA) was amended in 1989 to add Section 21081.6, which requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in Section 21081.6 of the Public Resources Code:

... 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.

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined as part of adopting a mitigated negative declaration.

The mitigation monitoring table lists those mitigation measures included as conditions of approval for the project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The City of Avalon as the lead agency will be primarily responsible for monitoring and reporting the implementation of the mitigation measures.

Five Corner Comprehensive Pedestrian Improvement Project
Initial Study - Mitigated Negative Declaration

Five Corners Comprehensive Pedestrian Improvement Project Initial Study-Mitigated Negative Declaration Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion	
				Check Box	Date
Biological Resources					
BIO-1	Nesting Bird Surveys and Avoidance. To avoid the destruction of active nests and to protect the reproductive success of birds protected by MBTA, nesting bird surveys shall be performed not more than 14 days prior to the scheduled construction in areas adjacent to trees suitable for nesting. In the event that active nests are discovered, a suitable buffer should be established around such active nests and no construction within the buffer allowed until a qualified biologist has determined that the nest is no longer active (e.g. the nestlings have fledged and are no longer reliant on the nest). No ground disturbing activities shall occur within this buffer until the qualified biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Survey results shall be presented in a letter report and submitted to the City of Indio. Nesting bird surveys are not required for construction activities occurring between September 1 and January 31.	On-site construction manager	Perform survey not more than 14 days in advance of construction	Not more than 14 days in advance of ground disturbing activities. Applicant to provide a report of other evidence of completion to the City of Avalon Planning Department	
Cultural Resources					
CUL-1	There is a moderate probability that significant prehistoric and/or historic	On-site construction manager or monitor	Verification of implementation in the	Prior to site disturbance and	

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	<p>age cultural resources will be unearthed during development within the project area. It is recommended that a mitigation-monitoring program be implemented within the project boundaries during all ground-disturbing activities including archaeological and Native American monitoring.</p> <p>Full-time monitoring should continue until the project archaeologist and/or project Native American monitor determines that the overall sensitivity of the project area has been reduced from moderate to low as a result of mitigation-monitoring. Should the monitor(s) determine that there are no cultural resources within the impacted areas or should the sensitivity be reduced to low during monitoring, all monitoring should cease.</p>	as appropriate	field during grading and construction	grading		
CUL-2	Should any cultural resources be discovered, the monitor(s) are authorized to temporarily halt all grading in the immediate vicinity of the discovery while the resource is recorded onto appropriate DPR 523 Forms and evaluated for significance. If the resource is determined to be significant, the monitor shall make	City Building Department	Verification of implementation in the field during grading and construction	As needed during grading and construction		

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	<p>recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to, avoidance, excavation, and further evaluation of the finds in accordance with CEQA.</p> <p>No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation, excluding items covered by the provisions of applicable Treatment Plans or Agreements, shall be donated to a qualified scientific institution approved by the Lead Agency where they would be afforded long-term preservation to allow future scientific study.</p>					
CUL-3	<p>The results of the mitigation-monitoring program shall be incorporated into a final report and submitted to the Lead Agency for review and approval. Upon approval by the Lead Agency, the final report, including any associated DPR 523 Forms, shall be submitted to the South Central Coastal Information Center (SCCIC).</p>	On-site construction manager	Verification of implementation in the field during grading and construction	As needed during grading and construction		
Geology/Soils						

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PAL-1	Prior to the commencement of construction activities, the City of Avalon shall retain a qualified paleontologist to provide construction personnel with orientation and awareness training on potential paleontological resources. Such training shall include familiarization with the stop-work restrictions, noticing, and handling procedures, and ultimate disposition of ratifications.	City Planning Department	Verification of document preparation	Prior to issuance of grading permit		
PAL-2	If paleontological resources are discovered during project implementation, the contractor shall stop all earth-moving activities within and around the immediate discovery area and the project proponent shall retain a qualified paleontologist to evaluate the significance of the finding and appropriate course of action. The person who made the discovery shall contact the City of Avalon Planning Department so that they may coordinate an appropriate plan of action. If the find is determined by paleontologists to require further treatment, the area of discovery will be protected from disturbance while qualified paleontologists and appropriate officials, in consultation with a recognized museum repository (e.g., the San Diego Natural History Museum or	City Planning Department	Verification of implementation in the field during grading and construction	If needed during grading		

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	the University of California Museum of Paleontology), determine an appropriate treatment plan.					
Hydrology/Water Quality						
HYD-1	<p>Mitigation Measure HYD-1: Prior to the issuance of any grading or building permit, the project applicant shall submit a landscape plan to the City of Avalon Public Works Department. The landscape plan shall include, but is not limited to, the following:</p> <ul style="list-style-type: none"> To the greatest extent practicable, native plant materials and other approved drought-tolerant plants shall be used in all project landscaping. Any proposed irrigation systems shall be reviewed and an irrigation system performance analysis shall be conducted to maximize the efficiency of the system and further reduce water demands. Any irrigation system installed shall be maintained effectively to ensure that runoff and evaporation is kept to a minimum. This includes maximizing the effective watering of plant roots, using drip irrigation, moisture detectors, and computer- 	City Building Department	Conditions of approval	Prior to issuance of grading permit		

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	controlled systems to increase the efficiency.					