

## **MITIGATION MONITORING AND REPORTING PROGRAM**

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### **1. Mitigation Monitoring and Reporting Requirements**

Public Resources Code (PRC) Section 21081.6 (enacted by the passage of Assembly Bill [AB] 3180) mandates that the following requirements shall apply to all reporting or mitigation monitoring programs:

- The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a Responsible Agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the Lead Agency or a Responsible Agency, prepare and submit a proposed reporting or monitoring program.
- The Lead Agency shall specify the location and custodian of the documents or other material, which constitute the record of proceedings upon which its decision is based. A public agency shall provide the measures to mitigate or avoid significant effects on the environment that are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or in the case of the adoption of a plan, policy, regulation, or other project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.
- Prior to the close of the public review period for a draft Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND), a Responsible Agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the Lead Agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the Responsible Agency or agency having jurisdiction over natural resources affected by the project, or refer the Lead Agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a Lead Agency by a Responsible Agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures that mitigate impacts to resources, which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a Responsible Agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit that authority of the Responsible Agency or agency having jurisdiction over natural resources affected by a project, or the authority of the Lead Agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

### **2. Mitigation Monitoring and Reporting Procedures**

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in compliance with PRC Section 21081.6. It describes the requirements and procedures to be followed by the City of Rancho Cucamonga to ensure that all mitigation measures adopted as part of the Proposed Project will be carried out as described in the Draft IS/MND. Table 1 lists each of the mitigation measures specified in the Draft IS/MND and identifies the party or parties responsible for implementation and monitoring of each measure.

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Tentative Tract Map No. 18305 Project**

**Table 1. Tentative Tract Map No. 18305 Project  
Mitigation Monitoring and Reporting Program**

Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
<b>1. Aesthetics</b>			
The proposed project would not result in significant adverse impacts related to aesthetics. No mitigation would be required.			
<b>2. Agricultural and Forestry Resources</b>			
The proposed project would not result in significant adverse impacts related to agriculture and forestry resources. No mitigation would be required.			
<b>3. Air Quality</b>			
The proposed project would not result in significant adverse impacts related to air quality. No mitigation would be required.			
<b>4. Biological Resources</b>			
<b>BIO-1: Pre-Construction Burrowing Owl Survey:</b> A pre-construction survey for burrowing owls shall be completed within the Project site between 14 and 30 days prior to construction activities in accordance with the CDFW Staff Report on Burrowing Owl Mitigation (2012). A second pre-construction survey shall be conducted no more than 24 hours prior to the start of construction. If burrowing owls are observed during either of the preconstruction surveys, implementation of additional measures may be necessary to reduce impacts to a level that is less than significant, including seasonal work restrictions, no-work buffers	Project Applicant, with verification by Director of the City of Rancho Cucamonga Planning Department, or designee	First survey between 14 and 30 days prior to construction activities. Second survey no more than 24 hours prior to the start of construction.	

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established around active burrows, passive relocation of burrowing owls, and/or a specific mitigation methodology determined in coordination with CDFW.			
<p><b>BIO-2: Pre-Construction Nesting Bird Survey:</b> If construction or other Project activities are scheduled to occur during the bird breeding season (February through August for raptors and March through August for most migratory bird species), a pre-construction nesting bird survey shall be conducted by a qualified biologist to ensure that active bird nests will not be disturbed or destroyed. The survey shall be completed no more than three days prior to initial ground disturbance. The nesting bird survey shall include the project site and adjacent areas where Project activities have the potential to affect active nests, either directly or indirectly due to construction activity or noise. If an active nest is identified, a qualified biologist shall establish an appropriate disturbance limit buffer around the nest using flagging or staking. Construction activities shall not occur within any disturbance limit buffer zones until the nest has fledged or has been deemed inactive by the qualified biologist.</p>	Project Applicant, with verification by Director of the City of Rancho Cucamonga Planning Department, or designee	Conduct survey no more than three days prior to initial ground disturbance, if construction is to occur during breeding season.	
<b>5. Cultural Resources</b>			
<p><b>CUL-1:</b> If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 60-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to</p>	Project Applicant, with verification by Director of the City of Rancho Cucamonga Planning Department, or designee	During ground disturbing construction activities.	

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<p>modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <ul style="list-style-type: none"> <li>• If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required.</li> <li>• If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, the archaeologist shall immediately notify the CEQA lead agency, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be eligible for inclusion in the NRHP or CRHR. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not eligible for the NRHP or CRHR; or 2) that the treatment measures have been completed to their satisfaction.</li> <li>• If the find includes human remains, or remains that are potentially human, the archaeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the San Bernardino County Coroner (as per § 7050.5 of the Health and Safety Code). The provisions of</li> </ul>			

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<p>§ 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.</p>			
<p><b>SMBMI CUL-1:</b> In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue</p>	<p>Project Applicant, with verification by Director of the City of Rancho Cucamonga Planning Department, or designee</p>	<p>During ground disturbing construction activities.</p>	

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<p>during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within SMBMI TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.</p>			
<p><b>SMBMI CUL-2:</b> If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within SMBMI TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.</p>	<p>Project Applicant, with verification by Director of the City of Rancho Cucamonga Planning Department, or designee</p>	<p>During ground disturbing construction activities.</p>	
<p><b>SMBMI CUL-3:</b> If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.</p>	<p>Project Applicant, with verification by Director of the City of Rancho Cucamonga Planning Department, or designee</p>	<p>During ground disturbing construction activities.</p>	
<b>6. Energy</b>			
<p>The proposed project would not result in significant adverse impacts related to energy. No mitigation is required.</p>			

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<b>7. Geology and Soils</b>			
<b>GEO-1: Unanticipated Discovery – Paleontological Resource.</b> If paleontological resources (i.e., fossil remains) are discovered during excavation activities, the contractor will notify the City and cease excavation within 100 feet of the find until a qualified paleontological professional can provide an evaluation of the site. The qualified paleontological professional will evaluate the significance of the find and recommend appropriate measures for the disposition of the site (e.g. fossil recovery, curation, data recovery, and/or monitoring). Construction activities may continue on other parts of the construction site while evaluation and treatment of the paleontological resource takes place.	Project Applicant, with verification by Director of the City of Rancho Cucamonga Planning Department, or designee	During project excavation and grading activities	
<b>8. Greenhouse Gas Emissions</b>			
The proposed project would not result in significant adverse impacts related to greenhouse gas emissions. No mitigation would be required.			
<b>9. Hazards and Hazardous Materials</b>			
The proposed project would not result in significant adverse impacts related to hazards and hazardous materials. No mitigation would be required.			

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<b>10. Hydrology and Water Quality</b>			
The proposed project would not result in significant adverse impacts related to hydrology and water quality. No mitigation would be required.			
<b>11. Land Use and Planning</b>			
The proposed project would not result in significant adverse impacts related to land use and planning. No mitigation would be required.			
<b>12. Mineral Resources</b>			
The proposed project would not result in significant adverse impacts related to mineral resources. No mitigation would be required.			
<b>13. Noise</b>			
<p><b>NOI-1:</b> The following best management practices shall be incorporated during Project construction:</p> <ul style="list-style-type: none"> <li>• In order to reduce construction noise, a temporary noise barrier or enclosure shall be used along the property lines of adjacent residences to break the line of sight between the construction equipment and the adjacent residences. The temporary noise barrier shall consist of a solid plywood fence and/or flexible sound curtains attached to chain link fencing.</li> <li>• Barriers such as flexible sound control curtains shall be erected around stationary heavy equipment to minimize</li> </ul>	Project Applicant, with verification by Director of the City of Rancho Cucamonga Planning Department, or designee	During Project construction.	

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<p>the amount of noise on the surrounding land uses to the maximum extent feasible during construction.</p> <ul style="list-style-type: none"> <li>• Construction activities shall be restricted to the hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday and prohibited at any time on Sunday or a federal holiday. The Project’s improvement and building plans shall specify this requirement.</li> <li>• Equipping of all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.</li> <li>• Prohibiting unnecessary idling of internal combustion engines.</li> <li>• Locating stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Constructing temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses.</li> <li>• Utilization of "quiet" air compressors and other stationary noise sources where technology exists.</li> <li>• Control of noise from construction workers’ radios to a point where they are not audible at existing residences bordering the Project site.</li> </ul>			

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<ul style="list-style-type: none"> <li>• Notification of all adjacent residences of the construction schedule, in writing, and provide a written schedule of "noisy" construction activities to the adjacent and nearby residences.</li> <li>• Designation of a "disturbance coordinator" who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.</li> </ul>			
<b>14. Population and Housing</b>			
The proposed project would not result in significant adverse impacts related to population and housing. No mitigation would be required.			
<b>15. Public Services</b>			
The proposed project would not result in significant adverse impacts related to public services. No mitigation would be required.			
<b>16. Recreation</b>			
The proposed project would not result in significant adverse impacts related to recreation. No mitigation would be required.			

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<b>17. Transportation</b>			
The proposed project would not result in significant adverse impacts related to transportation. No mitigation would be required.			
<b>18. Tribal Cultural Resources</b>			
<b>Gabrieleño Band of Mission Indian – Kizh Nation (GBMIKN) Mitigation Measures</b>			
<p><b>GBMIKN TCR-1: Retain a Native American Monitor/Consultant.</b>            The Project Applicant shall be required to 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</p>	<p>Director of the City of Rancho Cucamonga Planning Department, or designee</p>	<p>Prior to commencement of any ground disturbing activities/During project excavation and grading activities</p>	

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<p>the site has a low potential for impacting Tribal Cultural Resources.</p>			
<p><b>GBMIKN TCR-2: Unanticipated Discovery of Tribal Cultural and Archaeological Resources.</b> Upon discovery of any archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All archaeological resources unearthed by project construction activities shall be evaluated by the 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 landowner 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 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 and Public Resources Code Sections 21083.2(b) for unique archaeological resources. 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</p>	<p>Director of the City of Rancho Cucamonga Planning Department, or designee</p>	<p>Prior to commencement of any ground disturbing activities/During project excavation and grading activities</p>	

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<p>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.</p>			
<p><b>GBMIKN TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary Objects.</b> 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>	<p>Director of the City of Rancho Cucamonga Planning Department, or designee</p>	<p>During project excavation and grading activities (if human remains are identified)</p>	
<p><b>GBMIKN TCR-4: Resource Assessment &amp; Continuation of Work Protocol.</b> Upon discovery, the tribal and/or archaeological monitor/consultant/consultant will immediately divert work</p>	<p>Director of the City of Rancho Cucamonga</p>	<p>During project excavation and grading activities</p>	

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<p>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).</p>	<p>Planning Department, or designee</p>		
<p><b>GBMIKN TCR-5: Kizh-Gabrieleño Procedures for burials and funerary remains.</b> If the Gabrieleño 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> <p>Treatment Measures:</p>	<p>Director of the City of Rancho Cucamonga Planning Department, or designee</p>	<p>Prior to commencement of any ground disturbing activities/During project excavation and grading activities</p>	

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<ul style="list-style-type: none"> <li>• Prior to the continuation of ground disturbing activities, the landowner shall arrange a designated site location within the footprint of the project 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 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</li> </ul>			

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<p>authorize any scientific study or the utilization of any invasive diagnostics on human remains.</p> <ul style="list-style-type: none"> <li>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 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.</li> </ul>			
<p><b>GBMIKN TCR-6: Professional Standards:</b> 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>	<p>Director of the City of Rancho Cucamonga Planning Department, or designee</p>	<p>Prior to commencement of any ground disturbing activities/During project excavation and grading activities</p>	

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<b>San Manuel Band of Mission Indians (SMBMI) Mitigation Measures</b>			
<p><b>SMBMI TCR-1:</b> The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in SMBMI CUL-1, 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 resources Monitoring and Treatment Plan shall be created by the 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>	<p>Director of the City of Rancho Cucamonga Planning Department, or designee</p>	<p>Prior to commencement of any ground disturbing activities/During project excavation and grading activities</p>	
<p><b>SMBMI TCR-2:</b> 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>	<p>Director of the City of Rancho Cucamonga Planning Department, or designee</p>	<p>Prior to commencement of any ground disturbing activities/During project excavation and grading activities</p>	
<b>19. Utilities and Service Systems</b>			
<p>The proposed project would not result in significant adverse impacts related to utilities and service systems. No mitigation would be required.</p>			

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<b>20. Wildfire</b>			
The proposed project would not result in significant adverse impacts related to wildfire. No mitigation would be required.			