

Bergamot Specific Plan

MITIGATION MONITORING AND REPORTING PROGRAM

PROJECT NAME:	Bergamot Specific Plan
PROJECT MANAGER:	Sean Reilly, Senior Planner, City of Redlands
PROJECT DESCRIPTION:	<p>The project consists of both land use changes and physical improvements that would result in the establishment of 317 single family dwellings across three neighborhood concepts, communal open space, and public improvements to the adjacent right-of-way. Land use changes proposed by the project would remove the project area from the East Valley Corridor Specific Plan (EVCSP). The General Plan identifies the project site as Low Density Residential which accommodates residential uses at a density of up to 6 dwelling units per acre. Presently the project site is zoned Science/Research Park in the EVCSP which is inconsistent with the General Plan. The project proposes removing the site from the EVCSP and establishing a new specific plan.</p>
PROJECT LOCATION:	<p>The project is located in the northwest portion of the City of Redlands in San Bernardino County. The project site encompasses approximately 58.07 acres generally bounded by Domestic Avenue to the south, the SR-210 freeway to the west, and Texas Street is located east of the project site but is not immediately adjacent.</p>
INTRODUCTION:	<p>This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Bergamot Specific Plan. An MMRP is required for the proposed project because 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 Redlands Development Services Department will be responsible for monitoring compliance with all mitigation measures. 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
Bergamot Specific Plan**

SOURCE	MITIGATION MEASURE	TIMING	MONITORING	DATE COMPLETED	SIGNATURE
BIOLOGICAL RESOURCES					
Draft MND Section D.IV – Biological Resources	<p><u>Biological Resources Mitigation Measure 1 (BIO-1)</u></p> <p>The Project Applicant shall implement the following measures to minimize impacts to special-status wildlife species:</p> <p><u>Construction Monitoring and Pre-construction Surveys.</u> Prior to the issuance of a grading permit, the project applicant shall provide evidence that a qualified Biologist has been retained. The qualified Biologist shall conduct a clearance survey of the entire project impact area, including any staging/laydown areas, no more than seven (7) days prior to initiating project activities to search for western spadefoot, California legless lizard, and San Diegan tiger whiptail. In addition, the qualified Biologist will be present on-site prior to the initiation of construction each day to monitor ground-disturbing or habitat-altering activities, verify that temporary fencing around sensitive areas is intact and in good condition (no gaps or holes), and search for special-status wildlife species that may have taken shelter under construction materials in staging/laydown areas.</p> <p>If special-status wildlife species are observed during construction activities, all work within 50 feet of the animal(s) shall be stopped. At no time shall work occur within 50 feet of the animal without the Biological Monitor present. Any special-status wildlife species detected within the project impact area, including any staging/laydown areas, shall be allowed to move away on their own and shall not be captured or handled without authorization from the CDFW or USFWS.</p>	Beginning prior to ground disturbing activities and continuing throughout construction	Qualified Biologist		

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	<p><u>Avoidance of Entrapment.</u> To prevent inadvertent entrapment of animals during construction, all excavated, steep-walled holes or trenches more than one foot deep shall be covered at the close of each working day with plywood or other suitable material, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. All pipes, culverts, or similar structures stored overnight shall be inspected before they are subsequently moved, capped, and/or buried. If at any time wildlife is discovered, the Biologist shall be contacted to determine the next steps.</p> <p><u>Environmentally Sensitive Area Fencing.</u> Sensitive areas, including the channelized drainage and wildlife corridor near the western project boundary or active avian nests, shall be identified by a qualified Biologist and shown on the project design plans. The installation of the fencing around these sensitive areas shall be monitored by the Biologist.</p> <p><u>Erosion Control Materials.</u> Project construction activities on the western side of the project site could cause sediment to enter the channelized drainage. Appropriate sediment and erosion control Best Management practices (BMPs) shall be employed during project construction to minimize sediment from entering the channelized drainage to protect water quality. To prevent wildlife from becoming entangled or trapped in erosion control materials, plastic monofilament netting (such as erosion control matting) or similar material shall not be used. Several commercially available products that are marketed as photodegradable and biodegradable contain synthetic netting, which can take several months to decompose. These products shall not be used in habitat areas.</p>				

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	<p>Acceptable erosion control materials are those that use natural fibers such as jute, coconut, twine, or other similar biodegradable fibers.</p> <p><u>Worker Environmental Awareness Program.</u> A Worker Environmental Awareness Program (WEAP) training will be implemented to educate construction workers about the presence of special-status plant and wildlife species on and near the project site. The WEAP training will be administered to construction personnel prior to the initiation of ground-disturbing or vegetation/habitat altering activities. All construction personnel on the project site shall be required to attend the WEAP training. During the WEAP training, construction personnel shall be informed of the importance of avoiding ground-disturbing activities outside of designated work areas; the potential for special-status species to be present; the associated habitat for special-status species; and that is unlawful to take, harm, or harass special-status species.</p>				
Draft MND Section D.IV – Biological Resources	<p><u>Biological Resources Mitigation Measure 2 (BIO-2)</u></p> <p>The Project Applicant shall implement the following measures to minimize impacts to burrowing owl:</p> <p><u>Pre-construction Survey.</u> Prior to issuance of a grading permit, a qualified Biologist shall perform a pre-construction burrowing owl survey to determine burrow locations within 30 days prior to construction activities using CDFW (2012) guidelines and shall provide a report to the City documenting the results of the survey. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed. Surveys for occupied burrows shall be completed within all construction areas and within 300 feet from the proposed project work area (where possible and appropriate based on locations of barren</p>	Within 30 days prior to ground disturbing activities.	Qualified Biologist		

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	<p>or ruderal habitats). At least 15 days prior to the expected start of any project-related ground disturbance activities, or restart of activities, the City of Redlands shall provide a burrowing owl survey report and mapping to the CDFW. If no burrowing owl are detected during the pre-construction survey, no further action is necessary.</p> <p>If burrowing owls are detected during the pre-construction survey, the City shall consult with the CDFW and USFWS to develop and implement a Burrowing Owl Mitigation Plan that includes mitigation measures outlined in CDFW (2012) guidelines.</p>				
Draft MND Section D.IV – Biological Resources	<p><u>Biological Resources Mitigation Measure 3 (BIO-3)</u></p> <p>The Project Applicant shall implement the following measures to minimize impacts to nesting birds:</p> <p><u>Pre-construction Nesting Bird Surveys.</u> If construction or tree removal is proposed during the breeding/nesting season for migratory birds (typically February 1 through August 31), a qualified Biologist shall conduct pre-construction surveys for migratory birds on the project site, including a 300-foot survey buffer, no more than 3 days prior to the start of ground-disturbing activities. If construction is delayed or suspended for more than 3 days after the survey, the area shall be resurveyed to re-confirm the presence/absence of any active nests.</p> <p><u>Monitoring of Active Nests.</u> If an active nest is located during pre-construction surveys, the USFWS and/or the CDFW (as appropriate) shall be notified regarding the status of the nest. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or the Biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of</p>	No more than 3 days prior to the start of ground-disturbing activities.	Qualified Biologist		

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	<p>personnel or equipment at a minimum radius of 300 feet around an active raptor nest and 50-foot radius around an active non-raptor passerine bird nest) or alteration of the construction schedule.</p> <p>A qualified Biologist shall delineate the buffer using nest buffer signs, environmentally sensitive area fencing, pin flags, and or flagging tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently.</p>				
Draft MND Section D.IV – Biological Resources	<p><u>Biological Resources Mitigation Measure 4 (BIO-4)</u></p> <p>Impacts to waters of the United States (i.e. USACE jurisdiction) would require a Section 404 Clean Water Act permit from the USACE and a Section 401 Water Quality Certification from the RWQCB. Impacts to riparian habitat under CDFW jurisdiction would require a Section 1602 Streambed Alteration Agreement from the CDFW. These permits shall be obtained prior to issuance of grading permits and implementation of the proposed project.</p> <p>The project applicant shall ensure that the project will result in no net loss of waters of the United States by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation for the impact, as determined in the CWA Section 404/401 permit requirements.</p> <p>Compensatory mitigation may consist of (1) obtaining credits from a mitigation bank; (2) making a payment to an in-lieu fee program that will conduct wetland, stream, or other aquatic resource restoration, creation, enhancement, or preservation activities; and/or (3) providing compensatory mitigation through an aquatic resource restoration, establishment, enhancement, and/or preservation activity. This final type of</p>	Prior to the issuance of grading permits.	Project Proponent		

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	<p>compensatory mitigation may be provided at or adjacent to the impact site (i.e., on-site mitigation) or at another location, usually within the same watershed as the permitted impact (i.e., off-site mitigation). The project/permit applicant retains responsibility for the implementation and success of the mitigation project. Evidence of compliance with this mitigation measure shall be provided prior to initiating construction and grading activities for the proposed project.</p>				
<p>Draft MND Section D.IV – Biological Resources</p>	<p>Biological Resources Mitigation Measure 5 (BIO-5)</p> <p>The Project Applicant shall implement the following project design features to minimize impacts to the project site’s existing wildlife corridor and surrounding open space:</p> <p>Lighting. All lighting along the west side of the project site shall be downcast luminaries with light directed away from the channelized drainage that provides the wildlife movement corridor. All lighting installed within 100 feet of the western border of the project site shall be designed to be directed away from the channelized drainage using shielded lights, low-sodium vapor lights, downcast lights, bollard lights, or other available light and glare minimization methods.</p> <p>Landscaping. The project site design shall include an open space area of between approximately 15 feet (in the southwest corner of the project) and 200 feet (in the northwest corner) of the eastern slope of the channelized drainage and portions of the adjacent terrace, which shall be planted with drought-tolerant native shrub species. The soil surface in this zone may be covered with decomposed granite, but it shall not be irrigated. Shrub species in this corridor shall include those found in Riversidian alluvial fan sage scrub, including California buckwheat, California sagebrush,</p>	<p>During construction</p>	<p>Project Proponent, City of Redlands</p>		

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	brittlebush (<i>Encelia farinosa</i>), deerweed (<i>Acmispon glaber</i>), and chaparral yucca (<i>Hesperoyucca whipplei</i>). A qualified Botanist who specializes in California native species shall direct plant selection and monitor their installation.				
<u>GEOLOGY AND SOILS</u>					
Draft MND Section D.VII – Geology and Soils	<u>Geology and Soils Mitigation Measure 1 (GEO-1)</u> If archaeological and/or paleontological discoveries are made during construction, all work in the immediate vicinity of the find shall be halted and notification made to the Development Services Department of the City of Redlands. The project proponent shall retain a qualified archaeologist or paleontologist to assess the nature and significance of the find and make recommendations prior to further disturbance.	Project construction			
<u>HAZARDS AND HAZARDOUS MATERIALS</u>					
Draft MND Section D.IX – Hazards and Hazardous Materials	<u>Hazards Mitigation Measure 1 (HAZ-1)</u> Prior to issuance of a grading permit, the project applicant shall submit documentation as proof, to the City Engineer, that contaminated soils encountered at Site HA-3 (as identified on Figure 3 – Phase II Sample Location Map of the project Phase I/II Environmental Site Assessment) of the project site have been disposed of at a licensed facility with confirmation sampling to show that contamination concentrations of remaining soils are below the U.S. Environmental Protection Agency (USEPA) Regional Screening Levels (RSLs) and/or Department of Toxic Substances Control modified Screening Levels (DTSC-SLs), as applicable. If discolored subsurface soils or unanticipated hazardous materials are discovered, the above documentation and disposal processes shall apply. In no event shall the project applicant proceed with site	Prior to the issuance of a grading permit.	Project Proponent, City Engineer		

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	grading activities at any location on the site, where OCP/Diesel contamination are found to be present above regulatory thresholds for commercial use.				
Draft MND Section D.IX – Hazards and Hazardous Materials	<u>Hazards Mitigation Measure 2 (HAZ-2)</u> Any discolored subsurface soils or unanticipated hazardous materials discovered during soil excavation shall be left in place and shall revert to Mitigation Measure HAZ-1 for protocol treatment of contaminated soils.	Project construction	Project Proponent, City Engineer		
<u>NOISE</u>					
Draft MND Section D.XIII - Noise	<u>Noise Mitigation Measure 1 (NOI-1)</u> No soccer practice or games shall be permitted on the soccer fields between the hours of 10 p.m. and 7 a.m. daily. This shall be enforced through programmed field light controls and signage placed around the soccer fields.	Project operations	Project Proponent, Project Operator		
Draft MND Section D.XIII - Noise	<u>Noise Mitigation Measure 2 (NOI-2)</u> The project applicant shall construct a minimum 6.5-foot high wall on the west side of Lots 300, 301, and 302 and a minimum 7.5-foot high wall on the west side of Lots 297, 298, and 299. The walls shall be constructed of concrete masonry units (CMUs) and shall be free of any decorative cutouts or openings. This measure shall be implemented and verified by the City's Building Department, prior to the issuance of the Certificate of Occupancy for Lots 297, 298, 299, 300, 301, and 302.	Project construction	Project Proponent, Redlands Building Department		
<u>TRAFFIC AND TRANSPORTATION</u>					
Draft MND Section D.XVII - Transportation	<u>Transportation Mitigation Measure 1 (TR-1)</u> A construction work site traffic control plan shall be submitted to the City for review and approval prior to the issuance of a grading permit or start of any construction work. The plans shall show the location of	Prior to the issuance of a grading permit.	City of Redlands		

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	any roadway, sidewalk, bike route, bus stop or driveway closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. Temporary traffic controls used around the construction area should adhere to the standards set forth in the California Manual of Uniform Traffic Control Devices (2014) and construction activities should adhere to applicable local ordinances.				
TRIBAL CULTURAL RESOURCES					
Draft MND Section D.XVIII – Tribal Cultural Resources	<p><u>Tribal Cultural Resources Mitigation Measure 1 (TCR-1)</u></p> <p>Prior to the issuance of any ground disturbance-related permits (such as grading permits), the project developer/applicant shall provide the lead agency evidence of agreements with the consulting tribe(s) for Tribal monitor(s) representing tribe(s) that participated in consultation with the Lead Agency. Tribal monitors shall be present for all project related ground-disturbing activities (which includes ground disturbing activities such as tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal, drainage and irrigation removal, hardscape removal (benches, signage, boulders, walls, seat walls, fountains, etc.), and archaeological surveys, testing, and data recovery.</p> <p>Prior to the issuance of any ground disturbance-related permits (such as grading permits), the Lead Agency shall contact and coordinate with consulting Tribe(s) as reasonably determined by the Lead Agency to facilitate communications with the Project developer/applicant so that all Parties can develop a mutually-acceptable Tribal Monitoring and Treatment Plan which includes the scope of monitoring, scheduling of monitors from individual consulting Tribe(s), and the course of action for inadvertent discoveries. The Plan shall be</p>	Prior to the issuance of any ground disturbance-related permits.	Tribal monitors, City of Redlands		

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	<p>developed in accordance with current professional archaeology standards. Any mitigation plan that results in the removal of cultural resources (artifacts, ecofacts, features, etc.) from their original provenience shall also include a comprehensive discussion of resource processing, analysis, curation, and reporting protocols and obligations. This Plan shall be approved and adopted by the Lead Agency prior to the of any ground disturbance-related permits. The Plan's implementation in the field shall be enforced by the Lead Agency for the life of the Project's ground disturbing activities.</p>				
<p>Draft MND Section D.XVIII – Tribal Cultural Resources</p>	<p><u>Tribal Cultural Resources Mitigation Measure 2 (TCR-2)</u></p> <p>If a tribal cultural resource is discovered within the Project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and, if necessary, an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. Representatives from the Consulting Tribes, the Project applicant/developer, and the Lead Agency shall confer regarding treatment of the discovered resource(s). No historic or prehistoric resources identified during monitoring will require preservation; however, all discoveries must be assessed for archaeological or cultural significance in adherence to CEQA, and if determined to be CEQA-significant, additional mitigation measures may be required to reduce the effect of grading impacts. Following the securing of the discovery site from further disturbance, tribal representatives, will adhere to the stipulation for inadvertent discoveries within the Tribal Monitoring and Treatment Plan. This evaluation process may include archaeological excavations or test trenches, basic recordation, non-destructive methods for analysis of artifacts, and Native American participation in the</p>	<p>In the event that tribal cultural resources are discovered.</p>	<p>Consulting Tribes, Project Applicant, City of Redlands</p>		

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	<p>site assessment. If that evaluation process concludes that the discovered resources are CEQA significant, then the stipulations of TCR-3 will be implemented for treatment and disposition. All final reports regarding the resource recovery fieldwork are to be submitted to the local CHRIS Information Center, the Lead Agency, and Consulting Tribe(s).</p>				
<p>Draft MND Section D.XVIII – Tribal Cultural Resources</p>	<p><u>Tribal Cultural Resources Mitigation Measure 3 (TCR-3)</u></p> <p>California Public Resources Code 21074 defines "tribal cultural resources. In brief, a resource is a "tribal cultural resource" if it is either: (l) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe that are listed, or determined to be eligible for listing, in the national or state register of historical resources, or listed in a local register of historic resources. Pub. Resources Code, § 21074 (a)</p> <p>In the event that Tribal Cultural Resources are inadvertently discovered during the course of grading for this project, the following procedures will be carried out for treatment and disposition of the discoveries:</p> <ul style="list-style-type: none"> • 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 tribal cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Redlands with evidence of same: <ul style="list-style-type: none"> a. Complete avoidance and preservation in situ, or reburial of the resources in a location onsite. This shall include measures and provisions to protect the future reburial area 	<p>In the event that tribal cultural resources are discovered.</p>	<p>Consulting Tribes, Project Applicant, City of Redlands</p>		

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	<p>from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed.</p> <p>b. A curation agreement with an appropriate qualified repository within San Bernardino County or Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/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>c. If more than one Native American Group is involved with the project and cannot come to a consensus as to the disposition of cultural materials, they shall be curated in a qualified repository within San Bernardino County or Riverside County that meets federal standards per 36 CFR Part 79 by default.</p> <p>Should reburial of collected cultural items be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to the City of Redlands. Should curation be preferred, the developer/permit applicant is responsible for all costs and the repository and curation method shall be described in the Phase IV monitoring report.</p>				