

## **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 this document and identifies the party or parties responsible for implementation and monitoring of each measure.

**Mitigation Monitoring and Reporting Program  
Etiwanda Creek Community Park Expansion Project**

**Table 1. Etiwanda Creek Community Park Expansion Project  
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance	Outside Agency Coordination	Comments
<b>Biology Resources Mitigation Measures</b>					
<p><b>BIO-1: Preconstruction Coastal California Gnatcatcher Survey:</b> A preconstruction survey shall be conducted for coastal California Gnatcatcher no more than 14 days prior to the start of any ground-disturbing activities and/or vegetation removal activities. The preconstruction survey shall take place regardless of nesting bird season timing and shall focus on identifying the presence of coastal California gnatcatcher within the project site and 500-foot buffer within suitable habitat for this species.</p> <p>If coastal California gnatcatcher are detected during the preconstruction survey, additional mitigation measures may need to be implemented to avoid or minimize impacts to this species, and consultation between the City of Rancho Cucamonga and the appropriate agency may be required (CDFW, USFWS). Mitigation measures for the federally listed</p>	<p><b>Activity:</b> Preconstruction survey for coastal California Gnatcatcher</p> <p><b>Timing:</b> No more than 14 days prior to ground disturbing activities.</p> <p><b>Frequency:</b> One-time preconstruction survey; implementation of additional measures as necessary.</p>	<p><b>Project Biologist</b></p>	<p><b>City of Rancho Cucamonga</b></p>	<p>Possible coordination with CDFW or USFWS.</p>	

**Mitigation Monitoring and Reporting Program  
Etiwanda Creek Community Park Expansion Project**

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<p>coastal California gnatcatchers would be included to ensure that impacts to these species do not occur during vegetation removal. Mitigation measures for coastal California gnatcatcher if habitat is determined to be occupied will include (at the discretion of the monitoring biologist) additional focused surveys, biological monitoring during ground-disturbing activities and/or vegetation removal activities, the establishment of a minimum 500-foot non-disturbance buffer around active nest locations during construction activities, and/or noise monitoring to ensure that noise levels will not exceed 60 decibels.</p>					
<p><b>BIO-2: 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 <i>Staff Report on Burrowing Owl Mitigation (2012)</i>. 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</p>	<p><b>Activity:</b> Preconstruction survey for burrowing owl.</p> <p><b>Timing:</b> Between 14 and 30 days prior to ground disturbing activities.</p> <p><b>Frequency:</b></p>	<p><b>Project Biologist</b></p>	<p><b>City of Rancho Cucamonga</b></p>	<p>Possible coordination with CDFW.</p>	

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Etiwanda Creek Community Park Expansion Project**

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<p>may be necessary to reduce impacts to a level that is less than significant, including seasonal work restrictions, no-work buffers established around active burrows, passive relocation of burrowing owls, and/or a specific mitigation methodology determined in coordination with CDFW.</p>	<p>One-time preconstruction survey; implementation of additional measures as necessary.</p>				
<p><b>BIO-3: Pre-construction Nesting Bird Survey:</b> If construction or other Project activities are scheduled to occur during the bird breeding season (February 1 through August 31), 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</p>	<p><b>Activity:</b> Preconstruction survey for nesting birds.</p> <p><b>Timing:</b> No more than three days prior to ground disturbing activities.</p> <p><b>Frequency:</b> One time.</p>	<p><b>Project Biologist</b></p>	<p><b>City of Rancho Cucamonga</b></p>	<p>Possible coordination with CDFW.</p>	

**Mitigation Monitoring and Reporting Program  
Etiwanda Creek Community Park Expansion Project**

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limit buffer zones until the nest has fledged or has been deemed inactive by the qualified biologist.					
<b>Cultural Resources Mitigation Measures</b>					
<p><b>CUL-1:</b> If subsurface deposits believed to be cultural and/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 pre-contact and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <ol 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> </ol>	<p><b>Activity:</b> Archaeological evaluation of potential cultural resources.</p> <p><b>Timing:</b> During ground disturbing construction activities.</p> <p><b>Frequency:</b> As necessary during construction.</p>	<p><b>Qualified Archaeologist</b></p>	<p><b>City of Rancho Cucamonga</b></p>		

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Etiwanda Creek Community Park Expansion Project**

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<p>2. If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the County of San Bernardino Coroner Office and the applicable landowner. The agency shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines. 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 a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to their satisfaction.</p>					

**Mitigation Monitoring and Reporting Program  
Etiwanda Creek Community Park Expansion Project**

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<p>3. If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the San Bernardino County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 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</p>					

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Etiwanda Creek Community Park Expansion Project**

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<p>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 reinterment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agency, through consultation as appropriate, determines that the treatment measures have been completed to their satisfaction.</p>					
<p><b>CUL-2:</b> In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-</p>	<p><b>Activity:</b> Archaeological evaluation of</p>	<p><b>Qualified Archaeologist</b></p>	<p><b>City of Rancho Cucamonga</b></p>	<p>Consulting Native American Tribal</p>	

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Etiwanda Creek Community Park Expansion Project**

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<p>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 during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within 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>potential cultural resources; notification of consulting Native American Tribal Governments.</p> <p><b>Timing:</b> During ground disturbing construction activities.</p> <p><b>Frequency:</b> As necessary during construction.</p>			Governments	

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Etiwanda Creek Community Park Expansion Project**

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<p><b>CUL-3:</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 TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.</p>	<p><b>Activity:</b> Develop and implement a Monitoring and Treatment Plan.</p> <p><b>Timing:</b> During ground disturbing construction activities.</p> <p><b>Frequency:</b> As necessary during construction.</p>	<p><b>Qualified Archaeologist</b></p>	<p><b>City of Rancho Cucamonga</b></p>	<p>Consulting Native American Tribal Governments</p>	
<p><b>CUL-4:</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><b>Activity:</b> Archaeological evaluation of potential human remains or funerary objects.</p> <p><b>Timing:</b> During ground disturbing construction activities.</p>	<p><b>Qualified Archaeologist</b></p>	<p><b>City of Rancho Cucamonga</b></p>	<p>Consulting Native American Tribal Governments</p>	

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Etiwanda Creek Community Park Expansion Project**

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	<p><b>Frequency:</b> As necessary during construction.</p>				
<b>Geology and Soils Mitigation Measures</b>					
<p><b>GEO-1: Unanticipated Discovery of 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.</p>	<p><b>Activity:</b> Evaluation of potential paleontological resources by a qualified paleontologist.</p> <p><b>Timing:</b> During ground disturbing construction activities.</p> <p><b>Frequency:</b> As necessary during construction.</p>	<p><b>Qualified Paleontologist</b></p> <hr/>	<p><b>City of Rancho Cucamonga</b></p> <hr/>		

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Etiwanda Creek Community Park Expansion Project**

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<b>Hazards and Hazardous Materials Mitigation Measures</b>					
<p><b>HAZ-1:</b> Prior to the issuance of a building permit, the City of Rancho Cucamonga (or its contractor) shall prepare a Traffic Control Plan to ensure proper access to residences and businesses in the area by emergency vehicles during construction and to maintain traffic flow. The Traffic Control Plan shall be approved by the City of Rancho Cucamonga Transportation Services Manager prior to any lane closures.</p>	<p><b>Activity:</b> Preparation of a Traffic Control Plan.</p> <p><b>Timing:</b> During ground disturbing construction activities.</p> <p><b>Frequency:</b> As necessary during construction.</p>	<p><b>Project Engineer</b></p>	<p><b>City of Rancho Cucamonga</b></p>		
<b>Noise Mitigation Measures</b>					
<p><b>NOI-1:</b> The Project improvement and building plans will include the following requirements for construction activities:</p> <ul style="list-style-type: none"> <li>• Construction contracts must specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state-required noise attenuation devices.</li> </ul>	<p><b>Activity:</b> Implementation of noise-reduction measures.</p> <p><b>Timing:</b> During ground disturbing construction activities.</p> <p><b>Frequency:</b></p>	<p><b>Project Engineer</b></p>	<p><b>City of Rancho Cucamonga</b></p>		

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Etiwanda Creek Community Park Expansion Project**

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<ul style="list-style-type: none"> <li>A sign, legible at a distance of 50 feet, shall be posted at the Project construction site providing a contact name and a telephone number where residents can inquire about the construction process and register complaints. This sign shall indicate the dates and duration of construction activities. In conjunction with this required posting, a noise disturbance coordinator will be identified to address construction noise concerns received. The coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the disturbance coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaint (starting too early, malfunctioning muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the City. All signs posted at the construction</li> </ul>	<p>As necessary during construction.</p>				

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Etiwanda Creek Community Park Expansion Project**

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<p>site shall include the contact name and the telephone number for the noise disturbance coordinator.</p> <ul style="list-style-type: none"> <li>• Identification of construction noise reduction methods. These reduction methods may include shutting off idling equipment (5 minutes), installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and using electric air compressors and similar power tools.</li> <li>• During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.</li> <li>• Per Section 17.66.050 of the City's Municipal Code, construction shall be limited to the hours between 8:00 p.m. and 7:00 a.m. on weekdays, including Saturday, or at</li> </ul>					

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Etiwanda Creek Community Park Expansion Project**

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any time on Sunday or a national holiday.					
<p><b>NOI-2:</b> In order to reduce construction noise, during the site preparation, grading and building construction phases, a temporary noise barrier or enclosure shall be used along the northern property line to break the line of sight between the construction equipment and the adjacent residence. The temporary noise barrier shall have a sound transmission class (STC) of 35 or greater in accordance with American Society for Testing and Materials Test Method E90, or at least 2 pounds per square foot to ensure adequate transmission loss characteristics. The temporary noise barrier shall consist of a solid plywood fence at least 7/16-inch and/or flexible sound curtains, such as an 18-ounce tarp or a 2-inch-thick fiberglass blanket, attached to chain link fencing. The length, height, and location of noise control barrier walls shall be adequate to assure proper acoustical performance. All noise control barrier walls shall be designed to preclude structural failure due to such factors as winds, shear, shallow soil failure, earthquakes, and erosion.</p>	<p><b>Activity:</b> Implementation of temporary noise barrier.</p> <p><b>Timing:</b> During ground disturbing construction activities.</p> <p><b>Frequency:</b> One time.</p>	<p><b>Project Engineer</b></p>	<p><b>City of Rancho Cucamonga</b></p>		

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Etiwanda Creek Community Park Expansion Project**

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<b>Tribal Cultural Resources Mitigation Measures</b>					
<p><b>TCR-1:</b> The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CUL-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 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><b>Activity:</b> Tribal monitor shall be present during ground disturbing activities.</p> <p><b>Timing:</b> During construction.</p> <p><b>Frequency:</b> As needed.</p>	<p><b>Registered Professional Archaeologist</b></p>	<p><b>City of Rancho Cucamonga</b></p>	<p>Consulting Native American Tribal Governments</p>	

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<p><b>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><b>Activity:</b> Archaeological or cultural documents shall be supplied to the applicant and Lead Agency for dissemination to SMBMI.</p> <p><b>Timing:</b> Throughout the life of the project.</p> <p><b>Frequency:</b> As needed.</p>	<p><b>Registered Professional Archaeologist</b></p>	<p><b>City of Rancho Cucamonga</b></p>	<p>Consulting Native American Tribal Governments</p>	