

MITIGATION MONITORING AND REPORTING PROGRAM 301 PALM AVENUE RESIDENTIAL DEVELOPMENT PROJECT

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

301 Palm Avenue Residential Development Project

The program has been prepared in compliance with State law and the Mitigated Negative Declaration (MND) prepared for the project by the City of Redlands (City).

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resource Code Section 21081.6). The law states the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

- 1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- 2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
- 3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the MND.

MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the City is responsible for ensuring full compliance with the mitigation measures adopted for the proposed project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project site. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

STANDARD CONDITIONS

Standard Conditions are presented in instances where the proposed project would not create a significant impact but would be required to adhere to regulatory requirements in order to ensure impacts do not become significant. Standard Conditions outline compliance with various federal, State, and/or local acts, laws, rules, regulations, municipal codes, etc.

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project Name: 301 Palm Avenue Residential Development Project

Applicant:

Diversified Pacific Communities

Date:

Rev April 2021

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Biological Resources					
<p>BIO-1: Pre-construction Nesting Bird Survey: 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, including those for the loggerhead shrike, 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 area and adjacent areas where proposed 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 is deemed inactive by the qualified biologist.</p>	<p>City Planner or Designee</p>	<p>Prior to the issuance of grading permits.</p>	<p>Evidence the required pre-construction survey has been completed, and (as applicable), the establishment and maintenance of appropriate buffers</p>		<p>Withhold grading permit</p>
CULTURAL RESOURCES					

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<p>CUL-1: Prior to the issuance of a grading permit, the Project proponent shall retain the services of a Registered Professional Archaeologist, to monitor all initial ground disturbing activities related to the Project. The archaeologist shall meet U.S. Secretary of the Interior Professional Qualifications for Archaeology.</p> <p>In the event that prehistoric or historic-period archaeological cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and the Project archaeologist shall assess the find and make recommendations regarding the treating of the discovery. Impacts to significant archaeological deposits shall be avoided if feasible, but if such impacts cannot be avoided, the deposits shall be evaluated for their eligibility to the California Register of Historical Resources. If the deposits are not California Register eligible, no further protection of the find is necessary. If the deposits are eligible, impacts shall be avoided or mitigated. Acceptable mitigation may consist of, but is not necessarily limited to, systematic recovery and limited nondestructive analysis of archaeological deposits, recording the resource, preparation of a report of findings.</p>	City Planner or designee	Prior to the issuance of grading permits and during construction	Evidence the construction documents include instructions in the event such a resource is detected.		Withhold grading permit and/or issuance of a stop work order
<p>Cul-2: If significant archaeological cultural resources, as defined by CEQA Section 15064.5(a), or Tribal Cultural Resources (artifacts of Native American origin), are discovered, the qualified archaeologist shall develop a Monitoring and Treatment Plan for the remainder of the project site. The Monitoring and Treatment Plan shall be</p>	City Planner or designee	During construction activities.	Development of a Monitoring and Treatment Plan if resources are discovered.		Issuance of a stop work order

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<p>developed in coordination with Participating Tribe(s), the project proponent, and the City of Redlands. The project proponent shall secure monitoring agreements with the consulting tribe(s), prior to the recommencement of work, and the project archaeologist and tribal monitors shall monitor the remainder of the project site and implement the Plan accordingly.</p>					
<p>CUL-3: A final monitoring report with methods and findings shall be submitted to the Project proponent, City of Redlands, Participating Tribes, and the South Central Coastal Information Center.</p>	<p>City Planner or designee</p>	<p>During construction activities.</p>	<p>Monitoring Report if resources are discovered.</p>		<p>Issuance of a stop work order</p>
<p>CUL-4: The final report must describe the type, disposition, and significance of the resource(s), document the impacts to the resource(s), describe mitigation measures and how they were fulfilled. Work on the other portions of the Project site outside of the buffered area may continue during the assessment period with the implementation of Mitigation Measure CUL-2. Details in the Monitoring and Treatment Plan shall include:</p> <ul style="list-style-type: none"> a. Project grading and development scheduling. b. A monitoring schedule developed in coordination with the Project proponent, the qualified archaeologist, and Native American Tribal Monitors representing the Participating Tribes. c. Safety requirements, duties, scope of work, and the qualified archaeologist’s authority to stop and redirect grading activities in coordination with the City of Redlands, Project proponent, and construction contractor. 	<p>City Planner or designee</p>	<p>During construction activities.</p>	<p>Monitoring Report if resources are discovered.</p>		<p>Issuance of a stop work order</p>

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<p>d. The protocols and stipulations that the project proponent, City of Redlands, Participating Tribes, and qualified archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.</p> <p>e. In a confidential appendix, include the daily/weekly monitoring notes from the qualified archaeologist. The final report shall be completed within 60 days of the completion of ground disturbing activities.</p>					
<p>CUL-5: In the event that human remains (or remains that may be human) or funerary objects are discovered at the Project Site during grading or earthmoving, the construction contractors shall immediately stop all activities within 100 feet of the find. The Project proponent shall then inform the San Bernardino County Coroner and the City of Redlands Police Department immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the project proponent shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s) (MLD). The</p>	<p>City Planner or designee</p>	<p>During construction activities</p>	<p>County coroner and Redlands Police Department</p>		<p>Issuance of a stop work order</p>

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<p>MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any associated grave artifacts. The specific locations of Native American burials and reburials will remain proprietary and not disclosed to the general public. The locations will be documented by a qualified archaeologist in conjunction with the MLD, City, and project proponent, and a report of findings will be filed with the South Central Coastal Information Center (SCCIC), the City of Redlands Development Services Department, and the appropriate Native American Tribe(s).</p>					
GEOLOGY AND SOILS					
<p>GEO-1: Prior to commencement of any grading activity on the Project site, the applicant shall retain a qualified paleontologist, subject to the review and approval of the City Planner, or designee. The qualified paleontologist shall attend the pre-construction meeting and be on site during all rough grading and other significant ground-disturbing activities.</p> <p>In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontology monitor shall temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery shall be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor shall remove the rope and allow grading to recommence in the area of the find.</p>	<p>City Planner or designee</p>	<p>Prior to the issuance of grading permits and during construction</p>	<p>Evidence the construction documents include instructions in the event such a resource is detected.</p>		<p>Withhold grading permit and/or issuance of a stop work order</p>

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<p>The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed Project. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP).</p>					
NOISE					
<p>NOI-1: The Project improvement and building plans shall include the following for construction activities:</p> <p>The proposed barriers spanning the north and eastern boundaries of Lot 1 and northern/western boundaries of Lot 28 shall be constructed to six feet in height in order to break “line of sight” between the lots and Palm Avenue. The barrier shall be constructed of CMU block, or material of similar density and use, with no visible gaps between construction materials or at the base of the wall.</p>	<p>City Planner or designee</p>	<p>Prior to the issuance of grading permits</p>	<p>Provide evidence to the City that building plans are inclusive of barrier development.</p>		<p>Withhold grading permit</p>
TRIBAL CULTURAL RESOURCES					
<p>TRC-1: The Participating Tribe(s) shall be contacted and provided information, as detailed in Mitigation Measure CUL-1, for any archaeological cultural resources discovered during Project implementation, and be given the opportunity to provide input regarding the significance and treatment of archaeological cultural resources. Should the archaeological cultural resources be determined significant, as defined by CEQA Section 15064.5(a), then Mitigation Measures CUL-1 and CUL-2 shall be followed. Additionally, if tribal cultural resources are inadvertently discovered during the course of ground disturbance, the following procedures shall be implemented for</p>	<p>City Planner or designee</p>	<p>During construction activities.</p>	<p>Participating Tribes to be contacted for verification.</p>		<p>Issuance of a stop work order</p>

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<p>treatment and disposition of the discoveries:</p> <p>a. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location on-site or at the offices of the qualified archaeologist. The removal of any artifacts from the project site shall be thoroughly inventoried with a qualified archaeologist and Native American Tribal Monitor(s) oversight of the process.</p> <p>b. Treatment and Final Disposition: The land owner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, archaeological artifacts, and non-human remains discovered as part of the required mitigation for impacts to cultural resources. The land owner(s) shall relinquish the cultural resources through one or more of the following methods and provide the City of Redlands with evidence of same:</p> <p style="padding-left: 40px;">A. Accommodate the process for on-site reburial of the discovered items with the Participating Tribes. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and recordation have been completed.</p> <p style="padding-left: 40px;">B. A curation agreement with an appropriate qualified repository within San Bernardino 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</p>					
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<p>records shall be transferred, including title, to an appropriate curation facility.</p> <p>C. In the event that more than one Native American tribe or band is involved with the proposed project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the San Bernardino County Museum by default, located at 2024 Orange Tree Lane in Redlands California.</p>					
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STANDARD CONDITIONS

Project Name: 301 Palm Avenue Residential Development Project

Applicant: Diversified Pacific Communities

Date: Rev April 2021

Standard Condition No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
GEOLOGY AND SOILS					
GEO-1: Compliance with applicable California Building Code and Project-specific Geotechnical Recommendations. Prior to the approval of grading and/or building permits, the Project applicant shall provide evidence to the City of Redlands for review and approval that on-site structures, features, and facilities have been designed and will be constructed in conformance with applicable provisions of the 2019 California Building Code (or the current CBC at the time of City review) and the recommendations cited in the Project-specific geotechnical investigation. This measure shall be implemented to the satisfaction of the Director of the City of Redlands Development Services Department, Building and Safety Division, or designee.	City Development Services Department, Building and Safety Division, or designee	Prior to the issuance of grading and/or building permits.	Submittal of plans to the City that incorporate design and building requirements pursuant to the 2019 California Building Code and in accordance with the project-specific geotechnical investigation.		Withhold grading and/or building permits
HYDROLOGY AND WATER QUALITY					
HYD-1: Compliance with Project-specific Water Quality Management Plan (WQMP) Recommendations. Prior to the approval of grading and/or building permits, the applicant shall provide evidence to the City for review and approval that project structures, features, and facilities have been designed and will be	Director of the City of Redlands Municipal Utilities & Engineering Department and Development Services	Prior to the issuance of grading and/or building permits	Submittal of plans to the City that incorporate design and building requirements in accordance with the project-specific Water		Withhold grading and/or building permits

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<p>constructed in accordance with the recommendations cited in the approved project-specific WQMP. WQMP recommendations include an infiltration system includes vegetated swales and a bioretention system.</p> <p>A portion of roof runoff shall be directed through roof downspouts to a vegetated drainage swale located on the west site of the building. Runoff from paved areas shall sheet flow to the infiltration basin. The infiltration basin shall be staked during construction to avoid unnecessary compaction.</p> <p>Periodic maintenance of the bioretention system, landscaped areas, and vegetated swales during Project occupancy and operation shall be in accordance with the schedule outlined in the WQMP. This measure shall be implemented to the satisfaction of the Director of the City of Redlands Municipal Utilities & Engineering Department and Development Services Department, as appropriate.</p> <p>A portion of roof runoff shall be directed through roof downspouts to a vegetated drainage swale located on the west site of the building. Runoff from paved areas shall sheet flow to the infiltration basin. The infiltration basin shall be staked during construction to avoid unnecessary compaction.</p> <p>Periodic maintenance of the infiltration basin and landscaped areas during project occupancy and operation shall be in accordance with the schedule outlined in the WQMP. This measure shall be implemented to the satisfaction of the Director of the City of Redlands Municipal Utilities</p>	<p>Department, as appropriate</p>		<p>Quality Management Plan.</p>		
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& Engineering Department and Development Services Department, as appropriate.					
NOISE					
<p>NOI-1: Compliance with City Municipal Code Chapter 8.06.090F (Noise Disturbances Prohibited) and Chapter 8.06.120 (Exemptions). Construction activities, including operating or causing the operation of any tools or equipment used in site preparation, construction, drilling, repair, alteration, grading, paving, and/or architectural coating shall be restricted to the hours of 7:00 a.m. to 8:00 p.m. Mondays through Saturdays, and are prohibited at any time on Sundays and holidays unless permission is given by the City and noise levels remain below the City’s exterior noise level standards for stationary sources.</p> <p>All mobile or stationary internal combustion engine-powered equipment or machinery shall be equipped with exhaust and air intake silencers in proper working order and shall be maintained so that vehicles and their loads are secured from rattling and banging.</p>	City Planner or designee	Prior to the issuance of grading and/or building permits and during construction operations.	Submittal of evidence that construction plans include the required measures.		Withhold grading and/or building permit and/or stop work order.