

MITIGATION MONITORING AND REPORTING PROGRAM

APPLE VALLEY COMMERCIAL PROJECT

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

Apple Valley Commercial Project Development Permit DP. No. 2021-014

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

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 significant 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 Town is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The Town 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 Town shall be immediately informed, and the Town will then inform any affected responsible agencies. The Town, 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: Apple Valley Commercial Project

Applicant: Rich Development Company

Date: October 27, 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>MITIGATION MEASURE BIO-1: Prior to the issuance of a grading permit, a pre-construction burrowing owl clearance survey must be conducted by a qualified biologist within 14 days prior to the beginning of project construction to determine if the project site contains suitable burrowing owl habitat and to avoid any potential impacts to the species. The survey shall include 100 percent coverage of the project site, plus 150-meter buffer to ensure no owls have emigrated onto the site. If the burrowing owl survey reveals no burrowing owls are present, no additional actions related to this measure are required. If occupied burrows are found within the development footprint during the pre-construction clearance survey, Mitigation Measure BIO-2 shall apply.</p>	Community Development Director or designee	Prior to the issuance of grading permit.	Evidence to the Town the required pre-construction survey have been completed.		Withhold grading permit.
<p>MITIGATION MEASURE BIO-2: If occupied burrows are found within the development footprint during the pre-construction burrowing owl survey, site-specific buffer zones shall be established by the qualified biologist through consultation with the California Department of Fish and Wildlife (CDFW). The buffer zones may vary depending on burrow location and burrowing owl sensitivity to human activity, and no construction activity shall occur within a buffer zone(s) until appropriate avoidance and minimization measures are determined through consultation with the CDFW</p> <p>As part of the consultation process, the CDFW may require some or all of the following avoidance and minimization measures:</p>	Community Development Director or designee	Prior to issuance of grading permits and/or during construction	<p>Evidence to the Town:</p> <p>1) consultation (as applicable) with the California Department of Fish and Wildlife has occurred</p> <p>3) the establishment and maintenance (as applicable) of appropriate buffer(s)</p> <p>4) final report of findings submitted to the</p>		Withhold grading permit and/or issuance of a stop work order

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<ul style="list-style-type: none"> • Preparation of a burrowing owl relocation/translocation plan describing the methodology for passive and active relocation of burrowing owls from the project site, a monitoring strategy, and long-term conservation of relocated owls for submittal to the CDFW for approval prior to ground-disturbing activities. • Replacement of burrowing owl habitat acreage in accordance with the guidelines provided in Appendix A of the <i>Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012.</i> • Establishment of permanent conservation lands comprised of similar vegetation communities to provide for burrowing owl nesting, foraging, wintering, and dispersal (i.e., during breeding and non-breeding seasons) comparable to or better than that of the impact area. Such conservation lands must be of sufficiently large acreage and be occupied by fossorial mammals. Conservation lands may require habitat enhancements including enhancement or expansion of burrows for breeding, shelter and dispersal opportunity, and removal or control of population stressors as determined by the CDFW. If the conservation lands are located adjacent to the impacted burrow site, the nearest neighbor artificial or natural burrow clusters must be at least within 210 meters of the impacted burrow site. • Development and implementation of a mitigation land management plan to address long-term 			Community Development Director or designee		

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<p>ecological sustainability and maintenance of the site for burrowing owls.</p> <ul style="list-style-type: none"> Funding of maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment. Restoration of any temporarily disturbed areas to the pre-project condition, including decompacting soil and revegetating. <p>This measure shall be implemented to the satisfaction of the Town of Apple Valley Planning Division and the CDFW.</p>					
<p>MITIGATION MEASURE BIO-3: If grubbing and/or ground disturbance is proposed during nesting bird season (February through August), a pre-construction nesting survey shall be conducted by a qualified biologist (Project Biologist) within 14 days prior to start of work. If the survey indicates nesting birds are present, an appropriate buffer to be established by the Project Biologist shall be marked off around the nest(s), and no grubbing or ground disturbance shall occur in that area during nesting activities. Grubbing and/or ground disturbance may resume within the established buffer when the Project Biologist determines the nest is no longer occupied and all juveniles have left the nest. This measure shall be implemented to the satisfaction of the Apple Valley Planning Division or designee.</p>	Community Development Director or designee	Prior to and during construction	Evidence to the Town the required pre-construction survey and appropriate buffers (if necessary) have been implemented		Withhold grading permit and/or issuance of a stop work order
CULTURAL RESOURCES					
<p>MITIGATION MEASURE CUL-1: 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</p>	Community Development Director or designee	During construction	Evidence to the Town: 1) a qualified archaeologist has been retained		Issuance of a stop work order

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<p>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 and/or historic-era 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>2) appropriate buffers have been established</p> <p>3) San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) is contacted</p>		
<p>MITIGATION MEASURE CUL-2: If significant pre-contact and/or historic-era 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>Community Development Director or designee</p>	<p>During construction</p>	<p>Evidence to the Town:</p> <p>1) a qualified archaeological monitor has been retained to prepare a Monitoring and Treatment Plan</p> <p>2) a qualified archaeological monitor has been retained to be present during grading and other significant ground-disturbing activities</p> <p>3) San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) is contacted</p>		<p>Issuance of a stop work order</p>
<p>MITIGATION MEASURE CUL-3: 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</p>	<p>Community Development Director or designee</p>	<p>During ground-disturbing activities</p>	<p>Evidence to the Town:</p> <p>1) A qualified archaeological monitor has been retained to be</p>		<p>Issuance of a stop work order</p>

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contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.			present during all ground-disturbing activities 2) Appropriate buffer areas have been established as applicable 3) Coordinate with County Coroner as necessary		
GEOLOGY AND SOILS					
<p>MITIGATION MEASURE GEO-1: Prior to issuance of grading and/or building permits, the Project Applicant shall provide evidence to the Town of Apple Valley (Town) for review and approval that proposed structures, features, and facilities have been designed and would be constructed in conformance with applicable provisions of the 2019 edition of the California Building Code (CBC) or the most current edition of the CBC in effect at the time the Applicant’s development application is deemed complete by the Town.</p> <p>Additionally, the Project Applicant shall submit a site-specific geotechnical investigation of the Project and provide evidence to the Town that the recommendations cited in the geotechnical investigation are incorporated into Project plans and/or implemented as deemed appropriate by the Town. Geotechnical recommendations may include, but are not limited to, removal of existing vegetation, structural foundations, floor slabs, utilities, and any other surface and subsurface improvements that would not remain in place for use with the new development. Remedial earthwork, overexcavation, and ground improvement shall occur to depths specified in the geotechnical investigation to provide a sufficient layer of engineered fill or densified soil beneath the structural footings/foundations, as well as proper surface</p>	Community Development Director or designee	Prior to the issuance of grading and/or building permits	<p>Evidence to the Town:</p> <p>1) design-level plans comply with California Building Code in effect at the time of development application submittal</p> <p>2) design-level geotechnical/soils/geologic report has been prepared and recommendations are incorporated as applicable</p>		Withhold grading and/or building permits

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<p>drainage devices and erosion control. Retaining wall parameters shall be in accordance with the geotechnical investigation to protect against lateral spreading and landslides. Construction of concrete structures in contact with subgrade soils determined to be corrosive shall include measures to protect concrete, steel, and other metals. Verification testing must be performed upon completion of ground improvements to confirm that the compressible soils have been sufficiently densified. The structural engineer must determine the ultimate thickness and reinforcement of the building floor slabs based on the imposed slab loading.</p> <p>As necessary, the Town may require additional engineering protocols to meet its requirements. This measure shall be implemented to the satisfaction of the Director of Building and Safety or designee.</p>					
<p>MITIGATION MEASURE GEO-1: Prior to issuance of grading permits, the Town shall verify that the following note is included on all grading plans:</p> <p>“If any suspected paleontological resources (fossils) are discovered during ground-disturbing activities, the construction supervisor shall halt work within a 60-foot radius around the find and establish an exclusionary buffer. Construction personnel shall not collect or move any suspected paleontological materials or further disturb any soils within the exclusionary buffer, but construction activity may continue unimpeded on other portions of the project site. Construction activity shall not resume within the exclusionary buffer until a qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has</p>	Community Development Director or designee	Prior to issuance of grading permits	Evidence to the Town that grading plans include instructions in the event a paleontological resource is detected		Withhold grading permit and/or issuance of a stop work order

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<p>worked as a paleontological mitigation project supervisor for a least one year) can assess the significance of the find. If the paleontologist determines the find is not a paleontological resource, no further evaluation shall be required within the exclusionary buffer, and construction activity shall be allowed to resume therein. However, if the paleontologist determines the find is a paleontological resource, construction activity shall not resume within the exclusionary buffer, and Mitigation Measure GEO-2 shall apply.”</p> <p>This measure shall be implemented to the satisfaction of the Town’s Community Development Director or designee.</p>					
<p>MITIGATION MEASURE GEO-2: Prior to issuance of a grading permit, the Project Applicant must retain a qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least one year) to prepare a Paleontological Resource Impact Mitigation Plan (PRIMP) and monitor mass grading activities on the site. Implementation of the PRIMP shall include (but not be limited to) the following:</p> <ul style="list-style-type: none"> • Review of Project-specific geotechnical report data, with particular regard to location and depth of earthmoving and the rock unit(s) encountered; • Development of a formal agreement between the Project Applicant and the San Bernardino County Museum, Natural History Museum of Los Angeles County, Western Science Center, San Diego Natural History Museum, Riverside Municipal Museum, or other 	Community Development Director or designee	Prior to issuance of a grading permit and during construction	Evidence to the Town: <ol style="list-style-type: none"> 1) Project Applicant retains a qualified paleontologist 2) preparation of a Paleontological Resource Impact Mitigation Plan 3) appropriate buffer areas have been established 4) formal agreement between the project applicant and appropriate repository for fossils 5) submittal of required evaluation and report by a qualified paleontologist to the Town. 		Withhold grading permit and/or issuance of a stop work order

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<p>accredited museum repository for the final disposition, permanent storage, and maintenance of any fossil collections and associated data;</p> <ul style="list-style-type: none"> • The construction schedule, term/schedule of on-site paleontological monitor(s) and the extent of areas and activities to be monitored; • Authority of paleontological monitor(s) to temporarily redirect construction activity in the vicinity of any paleontological discovery; • Procedures for the evaluation and option to recover large fossil specimens and for the evaluation, recovery, and processing of small fossil specimens; • Fossil specimen preparation, identification to the lowest taxonomic level possible, curation, and cataloging; and • A report of findings. <p>Monitoring shall occur from the outset of grading activities since the depth of Pleistocene sediments onsite is unknown. However, the qualified paleontologist shall have the discretion of scaling back monitoring to a schedule approved by the Apple Valley Planning Division if, at the discretion of the paleontologist, grading is unlikely to reach depths of Pleistocene sediments or if the sediments encountered on the site have little to no potential to yield paleontological resources.</p> <p>If paleontological resources are encountered during the course of ground disturbance, work within 60 feet of the find shall be halted, and an exclusionary buffer shall be established. The qualified paleontologist shall assess the find</p>					

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<p>for scientific significance. Construction personnel shall not collect or move any suspected paleontological materials or further disturb any soils within the exclusionary buffer without the consent of the paleontologist and the Apple Valley Planning Division, but construction activity may continue unimpeded on other portions of the Project site. If the paleontologist determines the find is not a paleontological resource, no further evaluation shall be required within the exclusionary buffer, and construction activity shall be allowed to resume therein. However, if the paleontologist determines the find is a paleontological resource, construction activity shall not resume within the exclusionary buffer, and Mitigation Measure GEO-3 shall apply. This measure shall be implemented to the satisfaction of the Apple Valley Planning Division.</p>					
<p>MITIGATION MEASURE GEO-3: If the qualified paleontologist determines paleontological resources are encountered on the Project site, the paleontologist shall address the resource(s) pursuant to the Paleontological Resource Impact Mitigation Plan (PRIMP) to be implemented during the balance of ground-disturbing activities. The paleontologist shall be equipped to record and salvage fossil resources that may be unearthed during construction and shall temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources. Significant fossils shall be offered for curation at an accredited museum repository in accordance with the PRIMP. A report of findings, including, when appropriate, an itemized inventory of recovered specimens and a discussion of their significance, shall be prepared at the conclusion of paleontological monitoring. The report and inventory, when submitted to and approved by the Apple Valley Planning Division, would signify completion of</p>	<p>Community Development Director or designee</p>	<p>During construction</p>	<p>Evidence to the Town: 1) Project Applicant retains a qualified paleontologist 2) preparation of a Paleontological Resource Impact Mitigation Plan 3) appropriate buffer areas have been established 4) formal agreement between the project applicant and appropriate repository for fossils 5) submittal of required evaluation and report by a</p>		<p>Issuance of a stop work order</p>

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the program. This measure shall be implemented to the satisfaction of the Apple Valley Planning Division.			qualified paleontologist to the Town.		
TRIBAL CULTURAL RESOURCES					
MITIGATION MEASURE TCR-1: The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in Mitigation Measures CUL-1 , of any pre-contact and/or historic-era 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.	Community Development Director or designee	During construction	Evidence to the Town: 1) a qualified archaeologist has been retained 2) appropriate buffers have been established 3) San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) is contacted 4) preparation of a Monitoring and Treatment Plan 5) archaeological and tribal monitors are retained and deployed as appropriate		Issuance of a stop work order
MITIGATION MEASURE TCR-2: 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 San Manuel Band of Mission Indians Cultural Resources Department (SMBMI). The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.	Community Development Director or designee	Throughout Project execution	Evidence to the City: 1) cultural documents are supplied to the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI). 2) the Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project		Issuance of a stop work order

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STANDARD CONDITIONS

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Standard Condition No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
HYDROLOGY AND WATER QUALITY					
STANDARD CONDITION HYD-1: Prior to the issuance of a grading permit, the Project Applicant shall file and obtain a Notice of Intent (NOI) with the Regional Water Quality Control Board in order to be in compliance with the State National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit for discharge of surface runoff associated with construction activities. Evidence that this has been obtained (i.e., a copy of the Waste Discharger’s Identification Number) shall be submitted to Apple Valley for coverage under the NPDES General Construction Permit. The NOI shall address the potential for an extended and discontinuous construction period based on funding availability. This measure shall be implemented to the satisfaction of the Apple Valley Public Works Department and/or Community Development Department, as appropriate.	Public Works Department and/or the Community Development Director, or designee	Prior to the issuance of demolition and grading permits	Evidence of filing of the Notice of Intent with the Regional Water Quality Control Board via submittal of a copy of the Waste Discharger’s Identification Number to the Town		Withhold grading permit
STANDARD CONDITION HYD-2: Prior to the issuance of a grading permit, the Project Applicant shall submit to and receive approval from the Town of Apple Valley a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. In addition, the SWPPP shall emphasize structural and nonstructural Best Management Practices (BMPs) to control sediment and non-visible discharges from the site. The SWPPP shall include inspection forms for routine monitoring of the	Public Works Department and/or the Community Development Director, or designee	Prior to the issuance of grading permits	Submittal to the Town of a Storm Water Pollution Prevention Plan (SWPPP)		Withhold grading permit and/or issuance of a stop work order

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<p>site during the construction phases to ensure National Pollutant Discharge Elimination System (NPDES) compliance and that additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. The SWPPP shall address the potential for an extended and discontinuous construction period based on funding availability. The SWPPP shall be kept on site for the entire duration of Project construction and shall be available to the local RWQCB for inspection at any time. BMPs to be implemented may include the following:</p> <ul style="list-style-type: none"> • Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles and temporary basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs shall be periodically inspected during construction, and repairs shall be made when necessary as required by the SWPPP. • Materials that have the potential to contribute to non-visible pollutants to storm water must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas. • All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles shall be surrounded by silt fences and covered with plastic tarps. • In addition, the construction contractor shall be responsible for performing and documenting the 					

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<p>application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sandbag barriers and other sediment control measures called for in the SWPPP. Monthly reports and inspection logs shall be maintained by the contractor and reviewed by the Town of Apple Valley and the representatives of the State Water Resources Control Board. In the event that it is not feasible to implement specific BMPs, the Town of Apple Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.</p> <p>This measure shall be implemented to the satisfaction of the Apple Valley Public Works Department and/or Community Development Department, as appropriate.</p>					
<p>STANDARD CONDITION HYD-3: Prior to issuance of a grading permit, the Project Applicant shall submit a Final Water Quality Management Plan (Final WQMP) to the Town of Apple Valley for review and approval. The Final WQMP shall specify low impact development best management practices to address the Hydromodification Standard and Hydrologic Conditions of Concern for the project site in accordance with the <i>Mojave River Watershed Technical Guidance Document for Water Quality Management Plans</i> prepared by the County of San Bernardino, National Pollutant Discharge Elimination System Permit Order Number 2013-0001-DWQ. Specifically, the Final WQMP shall demonstrate that proposed low impact development best management practices shall ensure post-project runoff shall not exceed estimated pre-project flow rate for the 10-year, 24-hour storm (Hydromodification Standard).</p>	<p>Public Works Department and/or the Community Development Director, or designee</p>	<p>Prior to the issuance of grading permit</p>	<p>Submittal to Town of a Final Water Quality Management Plan (Final WQMP)</p>		<p>Withhold grading permit and/or issuance of a stop work order</p>

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<p>Furthermore, low impact development best management practices shall ensure post-development runoff volume, time of concentration, and peak flow velocity for the 2-year frequency storm shall not exceed that of the pre-development condition by more than five percent (Hydrologic Conditions of Concern). The proposed low impact development best management practices specified in the Final WQMP shall be incorporated into the grading and development plans submitted to the Town for review and approval, and periodic maintenance of any such facilities during project occupancy and operation shall be in accordance with the schedule outlined in the Final WQMP. This measure shall be implemented to the satisfaction of the Apple Valley Public Works Department and/or Community Development Department, as appropriate.</p>					
NOISE					
<p>STANDARD CONDITION NOS-1: Mufflers. During all project site excavation and grading, all construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' specifications.</p>	<p>Town Building Official and Community Development Department, or designee</p>	<p>During construction</p>	<p>Evidence to Town contractor utilizes equipment that is maintained and in proper working order</p>		<p>Issuance of a stop work order</p>
<p>STANDARD CONDITION NOS-2: Stationary Equipment. To the extent feasible, the project contractor shall place all stationary construction equipment the maximum feasible distance and directed away from adjacent property lines to the south and west during all project construction.</p>	<p>Town Building Official and Community Development Department, or designee</p>	<p>During construction</p>	<p>Evidence to Town contractor stages equipment away from the southern and western property lines</p>		<p>Issuance of a stop work order</p>
<p>STANDARD CONDITION NOS-3: Electrically Powered Tools. To the extent practicable, electrical power shall be used to run air compressors and similar power tools.</p>	<p>Town Building Official and Community</p>	<p>During construction</p>	<p>Evidence to Town contractor utilizes electrical equipment where feasible</p>		<p>Issuance of a stop work order</p>

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	Development Department, or designee				
<p>STANDARD CONDITION NOS-4: Town Enforcement. The Building Official of the Town of Apple Valley shall enforce noise-attenuating construction requirements during all project construction:</p> <p><i>Excavation, grading, and other construction activities related to the project shall comply with Apple Valley's daytime standards for construction activity (no construction between the hours of 7:00 p.m. and 7:00 a.m. Monday through Saturday, or at any time Sundays and legal holidays.</i></p> <p><i>The contractor shall inspect construction equipment to ensure that such equipment is in proper operating condition and fitted with standard factory silencing features, such as equipment mufflers, enclosures, and air intake and exhaust silencers.</i></p>	Town Building Official and Community Development Department, or designee	During construction	Evidence to Town contractor complies with daytime standards for construction activity and utilizes equipment that is maintained and in proper working order		Issuance of a stop work order