

**Mitigation Monitoring and Reporting Program
Initial Study/Mitigated Negative Declaration**

**ALIEN COMMERCIAL CENTER
BAKER, CALIFORNIA
72252BAKER BOULEVARD
APN 0544-311-42**

Prepared by:



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DECEMBER 7, 2022

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1. Introduction

The California Environmental Quality Act (CEQA) requires that a public agency adopting a Mitigated Negative Declaration (MND) take affirmative steps to determine that approved mitigation measures are implemented after project approval. The lead or responsible agency must adopt a reporting and monitoring program for the mitigation measures incorporated into a project or included as conditions of approval. The program must be designed to ensure compliance with the MND during project implementation (California Public Resources Code, Section 21081.6(a)(1)).

This Mitigation Monitoring and Reporting Program (MMRP) will be used by the County of San Bernardino (County) to ensure compliance with adopted mitigation measures identified in the MND for the proposed Star Point Properties Sixth Street Warehouse Project when construction begins. The County, as the lead agency, will be responsible for ensuring that all mitigation measures are carried out. Implementation of the mitigation measures would reduce impacts to below a level of significance for aesthetics (light and glare), cultural resources, public services, transportation, and tribal cultural resources.

The remainder of this MMRP consists of a table that identifies the mitigation measures by resource for each project component. Table 1 identifies the mitigation monitoring and reporting requirements, list of mitigation measures, party responsible for implementing mitigation measures, timing for implementation of mitigation measures, agency responsible for monitoring of implementation, and date of completion. With the MND and related documents, this MMRP will be kept on file at the following location:

County of San Bernardino
385 N. Arrowhead Avenue, First Floor
San Bernardino, California 92415

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2 Mitigation Monitoring and Reporting Program Table

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
Aesthetics				
AES-1 (D). Light and Glare Mitigation. The area of illumination from any lighting source must be confined to within the site boundaries so as to minimize impacts to night sky views from surrounding properties. On-site lighting will be fully shielded, diffused, or directed in a manner to avoid glare directed at adjacent properties, roadways or any light spill into any wildland areas surrounding the site that might affect nocturnal animals. No light will be permitted to project onto adjacent roadways in a manner that interferes with on-coming traffic. All lighting will be limited to that necessary for maintenance activities, security, and safety purposes. All signs proposed by this project will only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign or by direct stationary neon lighting.	Over the operational life of the project. Prior to Issuance of Occupancy Permit	Project applicant	County of San Bernardino	
Cultural Resources				
CUL-1(B): Archaeological Resources. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Chemehuevi Indians 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.”	Prior to Issuance of Demolition Permit and during ground disturbance activities	Project applicant and their construction contractor	County of San Bernardino	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p>CUL-2(B): Archaeological Resources. 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>Prior to issuance of Demolition Permit and during ground disturbance activities</p>	<p>Project applicant and contractor</p>	<p>County of San Bernardino</p>	
<p>CUL-3(B): Archaeological Resources. 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>Prior to issuance of Demolition Permit and during ground disturbance activities</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino</p>	
Public Services				
<p>PS-1(A): Law Enforcement. The convenience store and coffee shop's windows must remain un-obstructed and free from any window signs or writing. This is to allow for clear visibility of the store's interior from the patrol vehicles outside.</p>	<p>Prior to issuance of an Occupancy Permit and over the operational life of the project</p>	<p>Project applicant and business management</p>	<p>County of San Bernardino</p>	
<p>PS-2(A): Law Enforcement. Internal security cameras must be installed throughout the proposed convenience store and coffee shop to provide a comprehensive view of the buildings' interior and exterior. Cameras will be monitored by the cashiers.</p>	<p>Prior to issuance of an Occupancy Permit and over the operational life of the project</p>	<p>Project applicant and business management</p>	<p>County of San Bernardino</p>	
<p>PS-3(A): Law Enforcement. A silent alarm system that will be monitored at a central station must be installed.</p>	<p>Prior to issuance of an Occupancy Permit and over the operational life of the project</p>	<p>Project applicant and business management</p>	<p>County of San Bernardino</p>	



Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
PS-4(A): Law Enforcement. Hold up buttons or remote transmitters must be provided.	Prior to issuance of an Occupancy Permit and over the operational life of the project	Project applicant and business management	County of San Bernardino	
PS-5(A): Law Enforcement. Doorway access to the restrooms must be visible to the cashiers or security cameras monitored by the cashiers.	Prior to issuance of an Occupancy Permit and over the operational life of the project	Project applicant and business management	County of San Bernardino	
PS-6(A): Law Enforcement. No long-term parking (more than one hour), other than that required by employees, will be permitted. This provision will be monitored by employees with appropriate signage posted within the parking area.	Prior to issuance of an Occupancy Permit and over the operational life of the project	Project applicant and business management	County of San Bernardino	
PS-7(A): Law Enforcement. Appropriate signage must be posted indicating that loitering and/or the drinking of alcoholic beverages on-site are prohibited.	Prior to issuance of an Occupancy Permit and over the operational life of the project	Project applicant and business management	County of San Bernardino	
PS-8(A): Law Enforcement. The site frontage from Baker Boulevard and the parking and circulation areas must be visible to outside surveillance. Landscaping and other architectural treatments must not inhibit surveillance of the site from these areas.	Prior to issuance of an Occupancy Permit and over the operational life of the project	Project applicant and business management	County of San Bernardino	
PS-9(A): Law Enforcement. The site must be properly illuminated.	Prior to issuance of an Occupancy Permit and over the operational life of the project	Project applicant and business management	County of San Bernardino	



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Transportation				
<p>TR-1: Traffic. Install traffic signal and widen intersection for additional lanes a. Traffic signal is proposed to be an 8-phase signal (providing protected left-turn phasing with overlap in the east-west and north-south directions). b. Widening of the south leg (Death Valley Rd (SR 127)) to accommodate exclusive left and right turn lanes c. Realignment and widening of the north leg (Death Valley Rd (SR 127) to accommodate an exclusive left turn lane. d. Set back of the east leg (Baker Boulevard) to accommodate the widening of the Death Valley Rd (SR 127) approaches. The installation of the traffic signal and the reconfiguring of approach lanes should be initiated by the County and Caltrans. The development will pay its fair share of the cost of these improvements. Table 9-2 of the Traffic Study presents the project's calculated percentage of the growth in traffic at the intersection of Baker Boulevard and Death Valley Road (SR 127). The project's percentage of growth shown in the table multiplied by the cost of implementing the intersection improvements described above minus any fees or fair share development contributions previously collected by the County towards the cost of signaling this intersection would be the project's share of funding the improvement.</p>	<p>Prior to the issuance of a Building Permit</p>	<p>Project applicant</p>	<p>County of San Bernardino</p>	

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<p>TR-2: Traffic. Construct project frontage improvements. The project will be conditioned to construct its access driveways and construct the required half-width improvements to the north side of Baker Boulevard along its frontage consistent with the county's standard for Major Highway with a 104-foot right of way and 80-foot curb separation. These improvements include but are not limited to the following:</p> <ul style="list-style-type: none"> a. Dedicate right of way (if required) for the full half width of Baker Boulevard. 127) b. Remove old asphalt and repave the required half width of Baker Boulevard along the project's frontage. c. Mark the pavement of the widened side of Baker Boulevard as a single southbound lane using white edge lines that transition and channelize southbound traffic into the lane at the beginning of the project's frontage and out of the lane at the end of the project's frontage. d. Extend the existing two way left turn lane to the south along Baker Boulevard for the length of the project's frontage plus any required transition to match existing centerline south of the project's frontage improvements. e. Construct standard curb, gutter, and sidewalk frontage improvements on Baker Boulevard. f. Construct the two project access driveways at the locations shown on the site plan (see Figure 2 included in the traffic study). 		Project applicant	County of San Bernardino	



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<p>Noise</p> <p>TCR-1: Tribal Resources. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted 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>Prior to Issuance of Demolition Permit and during ground disturbance activities</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino</p>	
<p>TCR-2: Tribal Resources. 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>Prior to Issuance of Demolition Permit and during ground disturbance activities</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino</p>	
<p>TCR-3: Tribal Resources. Retain a Native American Monitor/Consultant: Prior to the commencement of any ground disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill A52 - SB18 (the "Tribe" or the "Consulting Tribe"). A copy of the executed contract shall be submitted to the Lead Agency prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction</p>	<p>Prior to Issuance of Building Permit</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino</p>	

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<p>phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 50 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the Tribal monitor approved by the Consulting Tribe and a qualified archaeologist if one is present. If the resources are Native American in origin, the Consulting Tribe will retain them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue in other parts of the Project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5(f)). Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place</p>				



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<p>is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.</p>				
<p>TCR-4: Tribal Resources. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC and PRC 5097.98 shall be followed.</p>	<p>Prior to Issuance of Demolition Permit and during ground disturbance activities</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino</p>	
<p>TCR-5: Tribal Resources. Upon discovery of human remains, the tribal and/or archaeological monitor/consultant will immediately divert work at minimum of 100 feet and place an exclusion zone around the discovery location. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the</p>	<p>Prior to Issuance of Demolition Permit and during ground disturbance activities</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino</p>	



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<p>coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).</p>				
<p>TCR-6: Tribal Resources. If the Gabrieleño Band of Mission Indians – Kizh Nation is designated MLD, the Koo-na-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.</p>	<p>Prior to issuance of Demolition Permit and during ground disturbance activities</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino</p>	
<p>TCR-7: Tribal Resources. Prior to the continuation of ground disturbing activities, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make</p>	<p>Prior to issuance of Demolition Permit and during ground disturbance activities</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino</p>	



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<p>every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p>				
<p>TCR-8: Tribal Resources. Native American and Archaeological monitoring during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of TCR's shall be taken. The Native American monitor must be approved by the Gabrieleno Band of Mission Indians-Kizh Nation. Principal</p>	<p>Prior to issuance of Demolition Permit and during ground disturbance activities</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino</p>	



Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
personnel for Archaeology must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California.				

