MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring plan must be designed to ensure compliance during project implementation (*Public Resources Code* Section 21081.6).

In compliance with Public Resources Code Section 21081.6, Table 1, *Mitigation Monitoring and Reporting Checklist*, has been prepared for the San Jacinto Residential Development Project (the "Project"). This Mitigation Monitoring and Reporting Checklist is intended to provide verification that all applicable Conditions of Approval relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the City of San Jacinto's San Jacinto Residential Development Project (TTM 38202) (P21-076) file.

This Mitigation Monitoring and Reporting Program (MMRP) delineates responsibilities for monitoring the project, but also allows the City flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the Mitigation Monitoring and Reporting Checklist (Table 1). If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The City distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Initial Study/Mitigated Negative Declaration, which provides general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance will be addressed to the City as appropriate.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.
- Responsible parties provide the City with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.
- The City prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.

- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the MMRP, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the City. Such changes could include reassignment of monitoring and reporting responsibilities, plan redesign to make any appropriate improvements, and/or modification, substitution or deletion of mitigation measures subject to conditions described in *CEQA Guidelines* Section 15162. No change will be permitted unless the MMRP continues to satisfy the requirements of *Public Resources Code* Section 21081.6.

Table 1
Mitigation Monitoring and Reporting Checklist

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Verification of Compliance		
					Initials	Date	Remarks
AIR QUALITY							
AQ-1	PM_{10} and $PM_{2.5}$ Reduction. Contractor shall be conditioned to apply water to soils being actively disturbed during site preparation and grading activities occurring within 25 meters of the nearest residence and Monte Vista Middle School. Water shall be applied at least three (3) times daily such that the moisture content reaches 15%. Further, during site preparation specifically, equipment use shall be limited to no more than two (2) rubber-tired dozers and two (2) tractors/loaders/backhoes or like equipment, working simultaneously within 25 meters of the nearest residence and Monte Vista Middle School ball field when students are present. Additionally, contractor shall apply soil stabilizers to unpaved onsite roads; sweep adjacent offsite paved roads and limit onsite vehicle travel to 15 miles per hour to minimize tire entrainment.	Applicant/ Contractor	During Construction	Contractor Logs			
BIOLOGICAL RESOURCES							
BIO-1	Preconstruction Survey. To maintain compliance with the Migratory Bird Treaty Act (MBTA and California Fish and Game Code Sections 3503, 3503.5, and 3513), prior to the start of ground disturbance or vegetation removal, a pre-construction surveys shall be conducted to avoid impacts to avian species.	Applicant	3-days prior to ground disturbance (vegetation removal, demolition, grading and/or construction)	Planning Department			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Verification of Compliance		
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	Removal of any trees, shrubs or any other potential nesting and foraging habitat for avian and/or sensitive avian species shall be conducted outside of the nesting season to the greatest extent practical. Alternatively, a nesting bird survey shall be conducted within three (3) days prior to the start of work if work is to occur during the nesting bird season (January 31 – September 15). The survey results shall be provided to the City's Planning Department. The Project Applicant shall adhere to the following: 1. Applicant shall designate a biologist (Designated Biologist) experienced in: identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures. 2. Pre-activity field surveys shall be conducted at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of Project activities. Surveys shall encompass all suitable areas						

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	including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the Project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If nesting birds are not found within the project site, site preparation and construction activities may begin during the nesting/breeding season. If nesting birds or active nests (including nesting raptors) are identified, then avoidance or minimization measures shall be undertaken in consultation with the City of San Jacinto (and California Department of Fish and Wildlife if the observed species has special status). Measures shall include immediate establishment of an avoidance buffer be implemented as determined by a qualified biologist and approved by the City of San Jacinto, based on their best professional judgement and experience. The buffer shall be of a distance to ensure avoidance of adverse effects to the nesting bird by accounting for topography, ambient conditions, species, nest location, and activity type. The buffer around the nest shall be delineated and flagged, and all work within these buffers shall be halted until a qualified biologist determines the nesting effort is finished (i.e., the juveniles are surviving independent from the nest or the nest has failed). The biologist shall monitor the nest at						

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	the onset of project activities, and at the onset of any changes in such project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the biologist determines that such project activities may be causing an adverse reaction, the biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. The onsite biologist shall review and verify compliance with these nesting boundaries and shall verify the nesting effort has finished (i.e., the juveniles are surviving independent from the nest). All nests shall be monitored as determined by the qualified biologist until nestlings have fledged and dispersed or it is otherwise confirmed that the nest has been unsuccessful or abandoned. Work can resume within the buffer area when no other active nests are found. If vegetation clearing is not initiated within 72 hours of a negative survey during the nesting season, the nesting survey shall be repeated to confirm the absence of nesting birds. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to City of San Jacinto Planning Division for mitigation monitoring compliance record keeping.						
BIO-2:	To avoid impacts to special-status bat species and identify roosting habitat, a preconstruction bat survey shall be conducted by a qualified bat biologist prior to initiation of Project activities.	Applicant	Prior to 3 days before Pre-Construction	Public Works Department			

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	The survey shall be conducted within the Project site and 100-foot buffer during appropriate weather conditions per the bat biologist's recommendations. If bats are identified, the qualified bat biologist shall identify the bats to the species level and evaluate the colony to determine its size and significance, and presence of a maternal colony. If any evidence of bat occupation is identified during the survey, the qualified bat biologist shall then provide additional measures to avoid impacts to roosting bats, and if the observed species has special status, as recommended by the California Department of Fish and Wildlife (CDFW). Measures provided shall be specific to the individual roost species present, and proposed construction activities, and shall include: a) postponement of Project activities within a no-work buffer specified by the bat biologist to outside of the bat maternity season (typically, maternity season is April 1 through August 31) if a maternity colony is identified to be present and b) monitoring of Project activities by a qualified bat biologist. Project activities that do not produce noise or vibrations substantially higher than ambient conditions may be conducted if a nonmaternal roosting colony is present at the qualified bat biologist's discretion. If the qualified bat biologist determines that nonmaternal colony roosting bats are disturbed by construction activities, construction activities shall cease immediately and additional avoidance measures (e.g., installation of a noise shroud or sound curtain)						

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	shall be required before activities resume. If a maternity colony is present, tree removal and/or modification shall occur outside the bat maternity season (typically April 1 through August 31) in the fall (after flightless young have become volant as determined by the qualified bat biologist) and under the supervision of a qualified bat biologist.						
BIO-3	To avoid project-related impacts to burrowing owls potentially occurring on or in the vicinity of the Project site, a preconstruction presence/ absence survey for burrowing owl in accordance with the March 2006 Burrowing Owl Survey Instructions for the Western Riverside County Multiple Species Habitat Conservation Plan Area shall be conducted by a qualified biologist within 30 days prior to the commencement of ground disturbing activities including vegetation clearing, grubbing, tree removal, or site watering. In addition, a preconstruction survey for burrowing owl shall be conducted within three (3) days prior to initiation of Project activities and reported to California Department of Fish and Wildlife (CDFW). Additionally, if ground-disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey shall again be necessary to minimize the possibility burrowing owl have not colonized the site since it was last disturbed. If burrowing owls are found, the same coordination described above shall be necessary. If no burrowing owls are observed during the survey, site preparation and construction	Applicant	30-days prior to ground disturbance (vegetation removal, demolition, grading and/or construction)	Planning Department			

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	activities may begin. If burrowing owl are present within the survey area, then avoidance or minimization measures shall be undertaken in consultation with the City of San Jacinto, CDFW and U.S. Fish and Wildlife Service (USFWS). CDFW shall be sent written notification within 48 hours of detection of burrowing owls. If active nests are identified on an implementing project site during the preconstruction survey, the Project applicant shall not commence activities within 500 feet until no sign is present that the burrows are being used by adult or juvenile owls or following CDFW approval of a Burrowing Owl Plan as described below. If owl presence is difficult to determine, a qualified biologist shall monitor the burrows with motion-activated trail cameras for at least 24 hours to evaluate burrow occupancy. The onsite qualified biologist shall verify the nesting effort has finished according to methods identified in the Burrowing Owl Plan. The qualified biologist and Project Applicant shall coordinate with the City, CDFW, and USFWS to develop a Burrowing Owl Plan to be approved by the City, CDFW, and USFWS prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, relocation, monitoring, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites and details on proposed buffers if avoiding the burrowing owls or information on the adjacent						

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	or nearby suitable habitat available to owls for relocation. If no suitable habitat is available nearby for relocation, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls shall also be included in the Burrowing Owl Plan. The City shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval. If burrowing owls are observed within Project Site(s) during Project implementation and construction, the Project applicant shall notify CDFW immediately in writing within 48 hours of detection. A Burrowing Owl Plan shall be submitted to CDFW for review and approval within two weeks of detection and no Project activity shall continue within 500 feet of the burrowing owls until CDFW approves the Burrowing Owl Plan. The City shall be responsible for implementing appropriate avoidance and mitigation measures, including burrow avoidance, passive or active relocation, or other appropriate mitigation measures as identified in the Burrowing Owl Plan. A final report shall be prepared by a qualified biologist documenting the results of the burrowing owl surveys and detailing avoidance, minimization, and mitigation measures. The final report shall be submitted to the City and CDFW within 30 days of completion of the survey and burrowing monitoring for mitigation monitoring compliance record keeping.						

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CULTURAL RESOURCES							
CR-1	This Mitigation Monitoring and Reporting Program (MMRP) to mitigate potential impacts to undiscovered buried cultural resources within the Project shall be implemented to the satisfaction of the lead agency. This program shall include, but not be limited to, the following actions: 1) Prior to issuance of a grading permit, the applicant shall provide written verification that a certified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the Project archaeologist to the lead agency. 2) The Project applicant shall provide Native American monitoring during grading. The Native American monitor shall work in concert with the archaeological monitor to observe ground disturbances and search for cultural materials. The Lead Agency shall coordinate with the consulting Tribe to facilitate communications with the Project developer/applicant so that all Parties can develop a mutually-acceptable Tribal Monitoring and Treatment Agreement (or Treatment and Disposition Agreement (TDA)), which includes the scope of monitoring, scheduling of monitors from the consulting Tribe, and the course of action for inadvertent discoveries. 3) The Project archaeologist, in consultation with the consulting Tribe, the contractor,	Applicant	Prior to Issuance of Grading Permit	Planning Department			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Verification of Compliance		
					Initials	Date	Remarks
	and the City, shall implement a Cultural Resources Management Plan (CRMP) to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the Project site. Details in the Plan shall include: a) Project grading and development scheduling; b) The Project archaeologist and the Consulting Tribe shall attend the pre-grading meeting with the City, the construction manager and any contractors and shall conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training shall include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. c) The protocols and stipulations that the contractor, City, consulting Tribe and Project archaeologist shall follow in the event of inadvertent cultural resources discoveries, including any newly						

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	discovered cultural resource deposits that shall be subject to a cultural resources evaluation. 4) During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and tribal representative shall be onsite, as determined by the consulting archaeologist, to perform periodic inspections of the excavations. Monitoring is recommended in younger Holocene alluvial soils, estimated to occur within near surface soils to a depth of five (5) to ten (10) feet. The frequency of inspections will depend upon the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The consulting archaeologist shall have the authority to modify the monitoring program if the potential for cultural resources appears to be less than anticipated. 5) Isolates and clearly non-significant deposits shall be minimally documented in the field so the monitored grading can proceed. 6) In the event that previously unidentified cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. The archaeologist shall contact the lead agency at the time of discovery. The archaeologist, in consultation with the lead						

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	agency, shall determine the significance of the discovered resources. The lead agency must concur with the evaluation before construction activities are allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be implemented by the consulting archaeologist and approved by the lead agency before being carried out using professional archaeological methods. If any human remains are discovered, the county coroner and lead agency shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (as identified by the NAHC) shall be contacted in order to determine proper treatment and disposition of the remains. a) Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered, and features recorded using professional archaeological methods. The Project archaeologist in consultation with the consulting Tribe shall determine the amount of material to be recovered for an adequate artifact sample for analysis. b) One or more of the following treatments, in order of preference, shall be used in the event of a discovery:						

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	i. Preservation-in-Place. Avoidance, or preservation-in-place, involves leaving a resource where it was found with no development affecting its integrity. Pursuant to Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological and cultural resources. ii. Reburial on the Project site in an area not subject to future disturbance. Reburial of a resource shall include provisions to protect the selected reburial area from any future impacts in perpetuity. Reburial shall not occur until all required cataloging and basic recording have been completed, with the exception of sacred items, burial goods and Native American human remains. Any reburial process shall be culturally appropriate. The listing of contents and the location of the reburial shall be included in a confidential Phase IV monitoring report. c) If Preservation-in-Place or reburial is not feasible, all cultural material collected during the grading monitoring program shall be processed and curated according to the current						

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	professional repository standards in a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources (OHP 1993). The collections and associated records shall be transferred, including title and accompanied by payment of the fees necessary for permanent curation. 7) A Phase IV Monitoring Report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the lead agency prior to the issuance of any building permits. The report shall include DPR Primary and Archaeological Site Forms. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request and a copy of the report shall be submitted to the consulting Tribe.						
GEOLOGY AND SOILS							
GEO-1	Prior to issuance of a building permit and certificate of occupancy, the Applicant and City shall verify that no habitable structures are proposed or constructed within the restricted use zone (RUZ) as currently delineated or as adjusted by a licensed geotechnical engineer.	Applicant	Prior to Issuance of Building Permit and Certificate of Occupancy	Public Works Department			
GEO-2	Prior to issuance of grading permits, the City of San Jacinto shall confirm that grading and construction plans for the Project adequately	Applicant	Prior to Issuance of Grading Permit	Public Works Department			

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	incorporate the design recommendations (or alternative equivalent measures) detailed in the Geotechnical Investigations prepared by Sladden Engineering in March 2021 and June 2022. The design recommendations shall address site earthwork and grading (stripping, preparation of building areas, compaction, shrinkage and subsidence); footings; pavement design; slabs; retaining walls; corrosion series; utility trench backfill; exterior concrete flatwork; and drainage.						
PALEO-1	Prior to issuance of a grading permit, the Applicant shall retain a qualified paleontological monitor to implement a paleontological monitoring program as follows: a) Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by a qualified paleontologist or paleontological monitor. Monitoring for paleontological resources shall be conducted in areas where grading, excavation, or drilling activities occur in Pleistocene and older Holocene alluvial soils, estimated at five (5) feet below the surface, in order to mitigate any adverse impacts (loss or destruction) to potential nonrenewable paleontological resources. Monitoring of any artificial fill or disturbed soils that may be present at the project is not warranted. b) The paleontological monitor shall be equipped to salvage fossils as they are	Applicant	Prior to Issuance of Grading Permit	Planning Department			

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	unearthed to avoid construction delays and to remove samples of sediment that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant or large specimens in a timely manner. Monitoring shall be reduced if the potentially fossiliferous units are not present in the subsurface, or if they are present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. c) Preparation of recovered specimens to a point of identification and permanent preservation, including screen-washing sediments to recover small vertebrates and invertebrates if indicated by the results of test sampling. Preparation of any individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils. d) All fossils shall be deposited in an accredited institution (university or museum) that maintains collections of paleontological materials. The Western Science Center in Hemet, California, is the preferred institution by the County of Riverside. All costs of the paleontological monitoring and mitigation program, including any one-time charges by the						

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	receiving institution, are the responsibility of the developer. e) A final monitoring and mitigation report of findings and significance, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s), shall be prepared. A letter documenting receipt and acceptance of all fossil collections by the receiving institution must be included in the final report. The report, when submitted to and accepted by the appropriate lead agency (e.g., the City of San Jacinto), shall signify satisfactory completion of the project program to mitigate impacts to any nonrenewable paleontological resources.						
HYDROLOGY AND WATER QUALITY							
HYDRO-1	Prior to issuance of a grading permit, the applicant shall obtain coverage under a General Construction Permit issued from the State Water Resources Control Board. The General Construction Permit would require the filing of a Notice of Intent with the State Water Resources Control Board and the preparation of a Storm Water Pollution Prevention Plan (SWPPP).	Applicant	Prior to Issuance of a Grading Permit	Public Works Department			

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NOISE							
N-1	Construction Equipment. Electrical power shall be used to run air compressors and similar power tools. Internal combustion engines shall be equipped with a muffler of a type recommended by the manufacturer and in good repair. All diesel equipment shall be operated with closed engine doors and be equipped with factory-recommended mufflers. Construction equipment that continues to generate substantial noise at the Project boundaries shall be shielded with temporary noise barriers, such as barriers that meet a sound transmission class (STC) rating of 25, sound absorptive panels, or sound blankets on individual pieces of construction equipment. Stationary noise-generating equipment, such as generators and compressors, shall be located as far as practically possible from the nearest residential and school property lines.	Applicant	Prior to Issuance of a Grading Permit	Public Works Department			
N-2	Limit Operations Adjacent to Receivers. The number of large pieces of equipment (i.e., bulldozers or concrete mixers) operating adjacent to receivers shall be limited at any given time.	Applicant	Prior to Issuance of a Grading Permit	Public Works Department			
N-3	Neighbor Notification. The Applicant shall provide notification to Monte Vista Middle School and residential occupants nearest to the Project site at least two (2) weeks prior to initiation of construction activities that could result in substantial noise levels at outdoor or indoor living areas. This notification shall include the anticipated hours and duration of	Applicant	2 weeks prior to ground disturbance (vegetation removal, demolition, grading and/or construction)	Public Works Department			

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	construction and a description of noise reduction measures being implemented at the Project site. The notification shall include a telephone number for local residents to call to submit complaints associated with construction noise. The notification shall be posted along North Lyon Avenue and Marilyn Drive and be visible from adjacent properties.						
TRANSPORTATION							
T-1	The Project shall contribute funds to the Transportation Uniform Mitigation Fee (TUMF) program, the City of San Jacinto Development Impact Fee (DIF) program, or as a fair share contribution not found to be covered by a pre-existing fee program for 3.2% of the improvements at the intersection of Lyon Avenue/Cottonwood Avenue and 7.78% of the improvements at Lyon Avenue/Appaloosa Drive. The funding method and timing of funding shall be approved by the City Engineer	Applicant	Prior to Grading Permit Issuance	City Traffic Engineer			
T-2	Street Improvements Plans shall be prepared and constructed in accordance with City engineering standards.	Applicant	Prior to Grading Permit Issuance	City Traffic Engineer			
T-3	Final construction plans shall show signing and striping along all roadways where improvements are proposed.	Applicant	Prior to Grading Permit Issuance	City Traffic Engineer			

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