

**Mitigation Monitoring and Reporting Program
Oeste Basins Groundwater Recharge Project – Mojave Water Agency**

CEQA, Section 21081.6, requires that a mitigation monitoring and reporting program (MMRP) be adopted upon certification of a Mitigated Negative Declaration to ensure that the mitigation measures are implemented. The mitigation monitoring and reporting program identifies the mitigation and when in the process it should be implemented. The **Mojave Water Agency (MWA)** is the implementing responsible party for all measures. A record of the MMRP will be maintained at the Mojave Water Agency, 13846 Conference Center Drive, Apple Valley, CA 92307.

Impact/Threshold	Project Mitigation Measures	Monitoring/ Timing Frequency	Action Indicating Compliance	Verification		
				Initials	Date	Remarks
AIR QUALITY						
<i>Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?</i>	<p>AIR-1: Prior to MWA or its contractor beginning construction, the MWA or its contractor is required to submit a dust control plan to the MDAQMD that describes all applicable dust control measures that will be implemented at the Project Site during construction, including soil export operations, and basin facility maintenance. The dust control plan must include but not be limited to the following measures:</p> <ul style="list-style-type: none"> • Signage compliant with Rule 403 Attachment B shall be erected at each project site entrance not later than the commencement of construction. • Use a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel may be used to eliminate visible dust/sand from sand/fines deposits. • All perimeter fencing shall be wind fencing or the equivalent, with a minimum of 4 feet in height. The 	Prior to issuance Notice to Proceed with Construction Contractor	Confirmation that construction contracts include required restriction			

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	<p>owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.</p> <ul style="list-style-type: none"> All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related trackout onto paved surfaces, and clean any project-related trackout within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion. 					
BIOLOGICAL RESOURCES						
<i>Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</i>	BIO-1: A pre-construction clearance survey shall be conducted prior to any ground disturbance or vegetation removal activities to ensure desert tortoise remain absent, and impacts do not occur to desert tortoise on the project site.	At least 10 days prior to mobilization of equipment	Monitoring report submitted to Mojave Water Agency by biologist			
<i>Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</i>	BIO-2: For any Western Joshua Trees that would be removed, the MWA shall obtain either an Incidental Take Permit (ITP) from California Department of Fish and Wildlife (CDFW) under §2081 of the California Endangered Species Act (CESA) or a permit under the Western Joshua Tree Conservation Act, whichever would be applicable at the time of the application. Mitigation would consist of either purchase of credits	Prior to start of construction	Copy of permit provided to Construction contractor			

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	from an approved conservation bank at an agreed upon ratio or in accordance with the permit issued under the Western Joshua Tree Conservation Act.					
<i>Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</i>	BIO-3: Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity, and duration of disturbance. The nests and buffer zones shall be field-checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.	At least 48 hours prior to the start of construction and again at least 48 hours prior to construction if construction stops for more than 30 days.	Monitoring report submitted to Mojave Water Agency by biologist			
CULTURAL RESOURCES						
<i>Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5</i>	CR-1: Worker Environmental Awareness Program (WEAP) – Cultural Resources. A Worker Environmental Awareness Program (WEAP) training shall be developed and provided by a cultural resource specialist familiar with potential Native American and paleontological resources in the area. The WEAP training shall be presented by the cultural resource specialist to all	Prior to the start of construction	Sign in sheet for the job file as to the employees who attended the WEAP training			

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	construction personnel. For the life of the Project, each employee (including temporary contractors and subcontractors) will receive WEAP training prior to conducting any work on the site.					
<i>Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5</i>	CR-2 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 Native American Heritage Commission shall be contacted, as detailed within Mitigation Measure 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.	During ground disturbing activities	Report by qualified archaeologist, as applicable			
<i>Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5</i>	CR-3: 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 the applicable tribal entity for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.	During ground disturbing activities	Report by qualified archaeologist, as applicable			
<i>Disturb any human remains, including those interred outside of formal cemeteries?</i>	CR-4: If, at any time, evidence of human remains (or suspected human remains) are uncovered, the County Coroner must be contacted immediately and permitted to examine the find in situ. A buffer must be established around the find (minimum of 50 feet) and the consulting archaeologist must also be notified.	During ground disturbing activities	Confirmation of coroner and NAHC contact and submittal of Report of Findings, if applicable			

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	<p>If the remains are determined to be of Native American origin, the Coroner will contact the Native American Heritage Commission and the Most Likely Descendant (MLD) will be named. In consultation with the MLD, the County, project proponent, and consulting archaeologist, the disposition of the remains will be determined. Any costs incurred will be the responsibility of the project proponent/property owner.</p> <p>If the remains are determined to be archaeological, but non-Native American, the consulting archaeologist will oversee the removal, analysis, and disposition of the remains. Any costs incurred will be the responsibility of the project proponent/property owner.</p> <p>If the remains are determined to be of forensic value, the County Coroner will arrange for their removal, analysis, and disposition. The Coroner's activities will not involve any costs to the project proponent/property owner.</p> <p>If human remains are encountered during the undertaking, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a MLD. With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.</p>					

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GEOLOGIC RESOURCES						
<i>Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature</i>	GEO-1: Provision for Unanticipated Buried Paleontological Resources: A qualified cultural resource specialist or paleontologist will spot check construction excavations that would impact Late Pleistocene to Holocene units, which are generally below 10 feet in the Project area. The frequency will be determined with the cultural resource specialist and the construction contractor based on the work schedule. If evidence of subsurface paleontological resources is found during construction, excavation and other construction activity in that area shall cease and the construction contractor shall contact the County of San Bernardino Planning Director. With direction from the Planning Director, a paleontologist certified by the County of San Bernardino shall evaluate the find prior to resuming ground disturbing activities in the immediate vicinity. If warranted, the paleontologist shall prepare and complete a standard Paleontological Resources Mitigation Program for the salvage and curation of identified resources.	Prior to start of construction and during subsurface excavation when grading and excavation activities occur at depths greater than 4 feet	Evidence of a Contract with a qualified Paleontological Resource specialist			
<i>Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be</i>	TCR-1: The Most Likely Descendent (MLD), as identified by the County Coroner shall be contacted, as detailed in CR-4, 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 determine if Tribal input is required 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 an archaeologist, in coordination with the applicable tribe, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a	During ground disturbing activities	Preparation of a Monitoring and Treatment Plan by a qualified archaeologist, as needed			

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<i>significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?</i>	monitor to be present that represents the applicable tribe, or other tribes as applicable, for the remainder of the project, should the applicable tribe elect to place a monitor on-site.					
<i>Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?</i>	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 MWA for dissemination to applicable tribe. The MWA shall, in good faith, consult with the applicable tribe throughout the life of the project.	During construction	Recordation management per the mitigation measure			