

MITIGATION MONITORING REPORTING PROGRAM

Project: Pierson Commercial Specific Plan

Applicant: Beyond Food Mart, Inc.

Lead Agency: City of Desert Hot Springs

Date: August 2024

Mitigation Measures No. / Implementing Action	Party Responsible for Implementation	Implementation Timing	Party Responsible for Verification	Verified Date /Initials
Biological Resources				
<p>BIO-1: Nesting bird nesting season generally extends from February 1 through September 15 in southern California and specifically, March 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) no more than 3 days 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 the 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.</p>	Project Applicant/ Qualified Biologist	No more than 3 days prior to Project-related disturbance to nestable vegetation	City of Desert Hot Springs	
<p>BIO-2: Prior to construction and issuance of any grading permit, the City of Desert Hot Springs shall ensure compliance with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and its associated Implementing Agreement and shall ensure that payment of the CVMSHCP Local Development Mitigation Fee for the Proposed Project is remitted to the Coachella Valley Conservation Commission.</p>	Project Applicant	Prior to issuance of grading permit	City of Desert Hot Springs	
Cultural Resources				
<p>CR-1: Prior to issuance of grading permits, a Riverside County/City of Desert Hot Springs qualified archaeologist shall be retained to serve as the Project Archaeologist. The Project Archaeologist shall provide preconstruction Cultural Sensitivity Training for all construction personnel, establishing required procedures and protocol in the event that cultural resources are discovered during the course of</p>	Project Applicant/ Qualified Archaeologist	Prior to issuance of grading permit	City of Desert Hot Springs	

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<p>ground disturbing activities. The Project Archaeologist will also be available to investigate any buried cultural resources upon notification by the Agua Caliente Band of Cahuilla Indians (ACBCI) Monitor and/or the construction supervisor. Should any cultural resources be discovered during the course of ground disturbing activities, said activities should be halted or diverted until the Project Archaeologist can evaluate the resources, make a determination of their significance, and recommend appropriate treatment measures to mitigate impacts to the resources from the project, if found to be significant. If the cultural resources are of Native American origin, a representative of Agua Caliente Band of Cahuilla Indians shall also evaluate the resource(s) and make recommendations.</p>				
<p>CR-2: 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. The Riverside County Coroner (per § 7050.5 of the Health and Safety Code) must be notified. The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.</p>	<p>Project Applicant/Contractor</p>	<p>During ground disturbing activities</p>	<p>City of Desert Hot Springs</p>	

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Geology and Soils				
<p>GEO-1: In the event the contractor discovers paleontological resources or unique geological features during construction related activities, a qualified paleontological monitor shall observe all ground disturbing activities at all depths. The paleontological monitor will recover any significant fossil materials that would potentially be impacted by ground disturbing activities. To avoid construction delays, the paleontological monitor should be equipped to salvage fossils immediately as they are unearthed and to remove samples of sediments that are likely to contain the remains of small fossil vertebrates, in accordance with standards for such recovery established by the Society of Vertebrate Paleontology (SVP). Recovered specimens should be prepared to a point of identification, including washing of sediments to recover smaller fossil remains. Once excavation has reached specified depths, salvage of fossil material from the sidewalls of the cut may resume. Specimens shall be identified and curated into a museum repository with retrievable storage.</p>	<p>Project Applicant/Contractor /Qualified Paleontologist</p>	<p>During ground disturbing activities</p>	<p>City of Desert Hot Springs</p>	
Tribal Cultural Resources				
<p>TCR-1: A copy of the records search with associated survey reports and site records from Eastern Information Center; a cultural resources inventory of the project area by a qualified archaeologist; and copies of any cultural resource documentation (report and site records) generated in connection with the project shall be provided to Agua Caliente Band of Cahuilla Indians Tribal Historic Preservation Office. In addition, an approved Agua Caliente Native American Cultural Resource Monitor(s) shall be present during any ground-disturbing activities.</p>	<p>City of Desert Hot Springs/ Project Applicant/Tribal Monitor</p>	<p>During ground disturbing activities/Upon availability of records</p>	<p>City of Desert Hot Springs</p>	
<p>TCR-2: A cultural resources inventory of the Project Site shall be conducted by a qualified archaeologist prior to any development activities in this area.</p>	<p>Qualified Archaeologist</p>	<p>Prior to ground disturbance</p>	<p>City of Desert Hot Springs</p>	
<p>TCR-3: Copies of any cultural resource documentation (report and site records) generated in connection with the Proposed Project shall be provided to Agua Caliente Band of Cahuilla Indians.</p>	<p>City of Desert Hot Springs</p>	<p>Upon availability of records</p>	<p>City of Desert Hot Springs</p>	
<p>TCR-4: An approved Agua Caliente Native American Cultural Resource Monitor(s) shall be present during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the</p>	<p>Tribal Monitor</p>	<p>During ground disturbing activities</p>	<p>City of Desert Hot Springs</p>	

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Monitor may request that destructive construction be halted and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.				
TCR-5: 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 Site outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-8, 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.	Project Applicant/Contractor	Upon discovery of cultural resources	City of Desert Hot Springs	
TCR-6: 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 qualified archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-5. The qualified archaeologist shall monitor the remainder of the project and implement the Plan accordingly.	Qualified Archaeologist	Upon discovery of pre-contact and/or historic-era cultural resources	City of Desert Hot Springs	
TCR-7: 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.	Project Applicant/Contractor	Upon discovery of human remains or funerary objects	City of Desert Hot Springs	
TCR-8: The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in TCR-5, 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	Project Applicant/Contractor	Upon discovery of pre-contact and/or historic-era cultural resources	City of Desert Hot Springs	

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cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the Proposed Project, should YSMN elect to place a monitor on-site.				
TCR-9: 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 YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the Proposed Project.	Project Applicant/City of Desert Hot Springs	Throughout project life	City of Desert Hot Springs	