

Allegro 61-Lot Residential Subdivision
CITY OF RIALTO
APN 0131-131-13, -14 & -23
MITIGATION MONITORING and REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program was prepared to implement the mitigation measures outlined in the Initial Study for the 61 single-family residential lot subdivision proposed on the east side of Acacia Avenue between Randall Avenue and Merrill Avenue. This program has been prepared in compliance with the California Environmental Quality Act (CEQA), and the State and City of Rialto CEQA Guidelines.

CEQA Section 21081.6 requires adoption of a monitoring and/or reporting program for those measures or conditions imposed on a project to mitigate or avoid adverse effects on the environment. The law states that the monitoring or reporting program shall be designed to ensure compliance during project implementation.

The Mitigation Monitoring and Reporting Program contains the following elements:

1. The mitigation measures are recorded with the action and procedure necessary to ensure compliance. The program lists the mitigation measures contained within the Initial Study.
2. A procedure for compliance and verification has been outlined for each mandatory mitigation action. 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 contains a separate Mitigation Monitoring and Compliance Record for each action. On each of these record sheets, the pertinent actions and dates will be logged, and copies of permits, correspondence or other data relevant will be retained by the City of Rialto.
4. The program is designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. If changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

The individual measures and accompanying monitoring/reporting actions follow. They are numbered in the same sequence as presented in the Initial Study.

V. CULTURAL RESOURCES

CR-1: If cultural resources are encountered during ground-disturbing activities, work in the immediate area shall cease and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service [NPS] 1983) shall be contacted immediately to evaluate the find(s). If the discovery proves to be significant under CEQA, additional work such as data recovery excavation may be warranted.

CR-2: In the event fossil specimens are unearthed, the project proponent shall have a paleontological consultant assess the specimens and report to the City of Rialto. If the consultant and City concur, a paleontological monitoring program shall be implemented for the remainder of earth moving activities.

IMPLEMENTATION AND VERIFICATION

Planning staff shall verify implementation of the above mitigation measures throughout ground-disturbing activities.

COMPLIANCE RECORD

The verification shall be completed throughout the construction period.

WRITTEN VERIFICATION PREPARED BY:

DATE PREPARED:

VI. GEOLOGY AND SOILS RESOURCES

GEO-1: All recommendations contained within the Preliminary Soil Investigation Report prepared by Soil Exploration Company, Inc., and as approved by the City Engineer as part of the plan review process shall be implemented prior to issuance of a grading permit.

IMPLEMENTATION AND VERIFICATION

Planning staff shall verify implementation of the above mitigation measures during plan check.

COMPLIANCE RECORD

When Required: The verification shall be completed during review of final plans.

WRITTEN VERIFICATION PREPARED BY:

DATE PREPARED:

XII. NOISE

- N-1: During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.
- N-2: The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.
- N-3: Equipment shall be shut off and not left to idle when not in use.
- N-4: The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and sensitive receptors nearest the project site during all project construction.
- N-5: The contractor shall limit the use of heavy equipment or vibratory rollers and soil compressors along the project boundaries to the greatest degree possible.

IMPLEMENTATION AND VERIFICATION

Through periodic on-site inspections.

COMPLIANCE RECORD

The verification shall be completed periodically during on-site inspections.

WRITTEN VERIFICATION PREPARED BY:

DATE PREPARED:

XVII. TRIBAL CULTURAL RESOURCES

San Manuel Band of Mission Indians (SMBMI):

- TCR-1: The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, 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 resource 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.
- 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 SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

Gabrieleño Band of Mission Indians- Kizh Nation:

- TCR-3: Retain a Native American Monitor/Consultant: The Project Applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is both approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and is listed under the NAHC's Tribal Contact list for the area of the project location. This list is provided by the NAHC. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant 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 the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.
- TCR-4: Unanticipated Discovery of Tribal Cultural and Archaeological Resources: Upon discovery of any archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All

archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant approved by the Gabrieleño Band of Mission Indians-Kizh Nation. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the project while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5 [f]). If a resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource”, time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and

- TCR-5: Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place 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 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, they shall be offered to a local school or historical society in the area for educational purposes.
- TCR-6: Unanticipated Discovery of Human Remains and Associated Funerary Objects: 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 Native American Heritage Commission (NAHC) and PRC 5097.98 shall be followed.
- TCR-7: Resource Assessment & Continuation of Work Protocol: Upon discovery, the tribal and/or archaeological monitor/consultant/consultant will immediately divert work at minimum of 150 feet and place an exclusion zone around the burial. 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 coroner determines whether the remains are 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).

TCR-8: Kizh-Gabrieleno Procedures for burials and funerary remains:

If the Gabrieleno Band of Mission Indians – Kizh Nation is designated MLD, the following treatment measures 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 burial of funerary objects with the deceased, and the ceremonial burning of human remains. These remains 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.

TCR-9: Treatment Measures: 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 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 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.

TCR-10: Professional Standards: Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel 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. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

IMPLEMENTATION AND VERIFICATION

A Native American Monitor and archaeological monitor shall be present during all ground disturbing proceedings.

COMPLIANCE RECORD

The verification shall be completed throughout the construction period.

WRITTEN VERIFICATION PREPARED BY:

DATE PREPARED: