Mitigation Monitoring and Reporting Program

Introduction

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Mitigated Negative Declaration has been certified which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "…reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented for the Alessandro Walk Project (Project). The City of Moreno Valley is the Lead Agency for the Project and is responsible for implementation of the MMRP. This report describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

Mitigation Monitoring and Reporting Program

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City of Moreno Valley for the Alessandro Walk Project. The table identifies the mitigation measures required by the City to mitigate or avoid significant adverse impacts associated with the implementation of the project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plan, Program, Policies; and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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TABLE 1: MITIGATION MONITORING AND REPORTING PROGRAM
ALESSANDRO WALK PROJECT

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
BIOLOGICAL RESOURCES			
MM-BIO 1 Payment of MSHCP Mitigation Fees. Prior to issuance of a grading or building permit, the Project applicant shall be required to pay relevant MSHCP mitigation fees per the Final Mitigation Fee Nexus Report. These fees will be determined in consultation with the Riverside Conservation Authority based on final Project classification and impacts.	Payment of Fees. Prior to grading or building Permits.	City of Moreno Valley Planning Division	
MM-BIO 2 Perform Pre-Construction Burrowing Owl Surveys. Prior to issuance of a grading permit, the Project Applicant shall conduct a pre-construction take avoidance survey for burrowing owl within 30 days of initiating construction per section 6.3.2 of the MSHCP	Submittal of pre-activity field survey results report. Prior to grading permit.	City of Moreno Valley Planning Division	
MM-BIO 3 Nesting Bird Season Avoidance. To the extent feasible, conduct vegetation removal outside of the nesting bird season (generally between March 1 and August 31). If vegetation removal is required during the nesting bird season, conduct take avoidance surveys for nesting birds within 100-feet of areas proposed for vegetation removal. Surveys should be conducted by a qualified biologist(s) within three days of vegetation removal. If active nests are observed, a qualified biologist will determine appropriate minimum disturbance buffers or other adaptive mitigation techniques (e.g., biological monitoring of active nests during construction-related activities, staggered schedules, etc.) to ensure that impacts to nesting birds are avoided until the nest is no longer active.	In construction plans and specifications. Prior to building permit.	City of Moreno Valley Planning Division	
CULTURAL RESOURCES			
MM CUL-1 Archaeological Monitoring Condition of Approval	In construction plans and specifications. During	City of Moreno Valley Planning Division	

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
At least thirty days prior to issuance of any grading permit, the developer shall retain a qualified archaeologist, provide a letter identifying the name and qualifications of the archaeologist to the Planning Division for approval, to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources and to evaluate and recommend appropriate actions for any archaeological deposits exposed by construction activity. At least thirty days prior to issuance of a grading permit, the applicant shall provide evidence that contact has been established with the appropriate Native American Tribe(s), providing notification of grading, excavation and the proposed monitoring program and to coordinate with the City and Tribe(s) to develop a cultural resources treatment and monitoring agreement. The agreement shall address treatment of known cultural resources, the designation, responsibilities and participation of Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. A report documenting the proposed methodology for grading monitoring shall be submitted to and approved by the Planning Division prior to issuance of any grading permit. The monitoring archaeologist shall be empowered to stop and redirect grading in the vicinity of an exposed archaeological deposit until that deposit can be fully evaluated. The archaeologist shall consult with affected Tribe(s) to evaluate any archaeological resources discovered on the project site. Tribal monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have authority to stop and redirect grading activities in consultation with the project archaeologist.	construction activities. Prior to grading permit.		

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MM CUL-2 Inadvertent Discoveries If potential historic, archaeological, Native American cultural resources or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.	In construction plans and specifications. During construction activities.	City of Moreno Valley Planning Division	
MM CUL-3 Human Remains If human remains are discovered during grading and other construction excavation, no further disturbance shall occur until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 5-days of the published finding to be given a reasonable opportunity to identify the "most likely descendant." The "most likely descendant" shall then make recommendations and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).	In construction plans and specifications. During construction activities.	City of Moreno Valley Planning Division	
GEOLOGY AND SOILS			
MM GEO-1: California Building Code. The Project is required to comply with the California Building Code as included in the City's Municipal Code Chapter 8.20 to preclude significant adverse effects associated with seismic hazards.	In construction plans and specifications. Prior to building permit.	City of Moreno Valley Building & Safety Division	

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California Building Code related and geologist and/or civil engineer specifications for the Project are required to be incorporated into grading plans and specifications as a condition of Project approval.			
MM GEO-2 Paleontological Resource Impact Mitigation Plan (PRIMP). Prior to the issuance of a grading permit, a Paleontological Resource Impact Mitigation Plan (PRIMP) shall be prepared by the Project Applicant and submitted for review and approval shall be received by the City. The PRIMP shall be prepared by a qualified paleontologist retained by the Project Applicant. The PRIMP shall follow the outline below: 1. 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. The PRIMP shall stipulate that monitoring will be conducted full or part time or on a spot-check basis at the determination of the paleontologist, based upon the identification of undisturbed sediments of Pleistocene very old alluvial fan deposits ("Qvofa"). Monitoring of Holocene young sandy alluvial fan deposits ("Qyfa") is not recommended; however, these deposits are likely relatively thin and overlie Pleistocene very old alluvial fan deposits. Therefore, monitoring in areas mapped as young sandy alluvial fan deposits may commence when those deposits are graded away and the very old alluvial fan deposits become exposed. The project paleontologist is responsible to periodically visit the project site during the initial stages of grading to identify the	In construction plans and specifications. Prior to building permit.	City of Moreno Valley Building & Safety Division	

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Pleistocene deposits and direct the initiation of monitoring. 2. Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery. 3. Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils are collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes are taken on the map location and stratigraphy of the site, which is photographed before it is vacated and the fossils are removed to a safe place. On mass grading projects, discovered fossil sites are protected by flagging to prevent them from being over-run by earthmovers (scrapers) before salvage begins. Fossils are collected in a similar manner, with notes and photographs being taken before removing the fossils. Precise location of the site is determined with the use of handheld GPS units. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location. 4. Isolated fossils are collected by hand, wrapped in paper, and placed in temporary collecting flats or five-gallon buckets. Notes are taken on the map location and stratigraphy of the site, which is photographed before it is vacated and the fossils are removed to a safe place. 5. Particularly small invertebrate fossils typically represent multiple specimens of a limited number of organisms, and a scientifically suitable sample			

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can be obtained from one to several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material. For vertebrate fossils, the test is usually the observed presence of small pieces of bones within the sediments. If present, as many as 20 to 40 five-gallon buckets of sediment can be collected and returned to a separate facility to wet-screen the sediment. 6. In accordance with the "Microfossil Salvage" section of the Society of Vertebrate Paleontology guidelines (2010:7), bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil "microvertebrates" to test the feasibility of the deposit to yield fossil bones and teeth. 7. In the laboratory, individual fossils are cleaned of extraneous matrix, any breaks are repaired, and the specimen, if needed, is stabilized by soaking in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B-72). 8. Recovered specimens are prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils. 9. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (e.g., the Western Science Center) shall be conducted. The paleontological program should include a written repository agreement prior to the initiation of mitigation activities. Prior to curation, the lead agency (e.g., the City of Moreno Valley) will be consulted on the repository/museum to receive the fossil material. 10. A final report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, will signify satisfactory completion of the project			

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program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place. 11. Decisions regarding the intensity of the MMRP will be made by the project paleontologist based on the significance of the paleontological resources and their biostratigraphic, biochronologic, paleoecologic, taphonomic, and taxonomic attributes, not upon the ability of a project proponent to fund the MMRP.			
MM GEO-3 Paleontological Monitoring Applications for future development, wherein the Community Development Director or his or her designee has determined a potential for impacts to paleontological resources, shall review the underlying geology and paleontological sensitivity of the site. If it is determined that the potential exists that sensitive paleontological resources are present, the applicant shall be required to comply with the following mitigation framework. A qualified paleontological monitor shall be present during grading in project areas where a project specific technical study has determined that such monitoring is necessary due to the potential for paleontological resources to reside within the underlying geologic formations. The geologic technical study shall also provide specific duties of the monitor, and detailed measures to address fossil remains, if found.	In construction plans and specifications. Prior to building permit.	City of Moreno Valley Building & Safety Division	
GREENHOUSE GAS EMISSIONS			
MM GHG-1 New Construction Residential Renewable Energy. Prior to the issuance of each building permit, the Project Applicant shall provide documentation to the City of Moreno Valley demonstrating the construction or purchasing of renewable energy production (photovoltaic solar or small wind turbines). The Project is required to construct or purchase a minimum of 650,000	In construction plans and specifications. Prior to building permit.	City of Moreno Valley Planning Division	

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kWh/year of photovoltaic solar energy. Greenhouse gas emissions would reduce to 2,993 MTCO2e per year which would be under the 3,000 MTCO2e threshold.			
TRIBAL AND CULTURAL RESOURCES			
MM CUL-1 through MM-3, as mentioned previously.	In construction plans and specifications. During construction activities.	City of Moreno Valley Planning Division	