

MITIGATION MONITORING AND REPORTING PROGRAM MAPLE AND FOOTHILL RESIDENTIAL PROJECT

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

**Maple and Foothill Residential Project
MCN 24-0040, TTM 24-0003, DRP 24-0015**

The program has been prepared in compliance with State law and the Mitigated Negative Declaration (MND) prepared for the project by the City of Fontana (City).

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid significant effects on the environment (Public Resource Code Section 21081.6). The law states the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

- 1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- 2) A procedure for compliance and verification has been outlined for each action necessary. 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 has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the MND.

MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the City is responsible for ensuring full compliance with the mitigation measures adopted for the proposed project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project site. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If, during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

STANDARD CONDITIONS

Standard Conditions are presented in instances where the proposed project would not create a significant impact but would be required to adhere to regulatory requirements in order to ensure impacts do not become significant. Standard Conditions outline compliance with various federal, State, and/or local acts, laws, rules, regulations, municipal codes, policies, etc.

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**MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST
MITIGATION MEASURES**

Project Name: Maple and Foothill Residential Project

Applicant: Diversified Pacific

Date: February 20, 2025

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/Initials	Sanctions for Non-Compliance
BIOLOGICAL RESOURCES					
<p>MITIGATION MEASURE BIO-1: Preconstruction Surveys for Crotch Bumble Bee: If the Crotch bumble bee is no longer a Candidate or formally-Listed species under the California Endangered Species Act (ESA) at the time ground-disturbing activities occur, then no additional protection measures are proposed for the species. Furthermore, if grading and all other initial ground disturbance are restricted to the period of September-January, no survey or other measure for this species is required.</p> <p>If the Crotch bumble bee is legally protected under the California ESA as a Candidate or Listed species at the time clearing of vegetation or grading are scheduled to begin, and if vegetation clearing or initial grading is to occur during the period of February-March (the queen flight season) or April-August (the colony active period), a preconstruction survey for Crotch bumble bee shall be conducted in accordance with California Department of Fish and Wildlife (CDFW's) Survey Considerations for California ESA Candidate Bumble Bee Species. The survey shall be conducted prior to ground disturbance and within the same queen flight season or colony active period in which the ground disturbance is to occur. The survey</p>	<p>City of Fontana Community Development Director or designee.</p>	<p>Prior to the start of any on-site ground disturbance activity and during ground disturbing activities.</p>	<p>Evidence to the City:</p> <ul style="list-style-type: none"> A qualified biologist is retained; The required pre-construction surveys have been completed, and, if necessary, coordination with CDFW to determine if an Incidental Take Permit under Section 2081 of the California ESA would be required; Appropriate nest avoidance buffers are established; Required and applicable provisions of the Crotch bumble bee protection have been satisfied prior to the start of any on- 		<p>Withhold grading permit or issuance of stop work order.</p>

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<p>shall consist of a minimum of three survey visits, each at least two weeks apart. The survey shall be completed by a biologist who holds a Memorandum of Understanding to capture and handle Crotch bumble bee (if a netting and chilling protocol is to be utilized) or by a CDFW-approved biologist experienced in identifying native bumble bee species (if surveys are restricted to visual surveys with photo documentation for species verification).</p> <p>If Crotch bumble bee is detected, the biologist shall conduct a bumble bee nesting survey in accordance with CDFW's Survey Considerations for California ESA Candidate Bumble Bee Species. If an active Crotch bumble bee nest is detected, the biologist shall establish a 50-foot no-disturbance buffer (including foraging resources and flight corridors essential for supporting the colony) around the nest, which may be adjusted at the direction of the approved biologist in coordination with CDFW based on behavior of the bees and their ability to continue foraging, to reduce the risk of disturbance or accidental take. If an active Crotch bumble bee nest is detected, the biologist shall also coordinate with CDFW to determine if an Incidental Take Permit under Section 2081 of the California ESA would be required. The nest avoidance buffer may be removed at the completion of the colony active period or once the biologist deems the nesting colony is no longer active and CDFW has provided concurrence of that determination.</p> <p>If no nest is found but the species is present, a full-time biological monitor with the qualifications</p>			<p>site ground disturbance activity.</p>
			Verified Date/Initials

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<p>described above or otherwise approved by CDFW shall be present during ground disturbing activities that occur during the queen flight period or colony active period. Because bumble bees move nest sites each year, this measure shall be implemented during each subsequent year of construction, regardless of the previous year's findings, whenever ground disturbing activities are to occur and nesting and foraging habitat are still present. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee.</p>	<p>City of Fontana Community Development Director or designee.</p>	<p>Prior to the start of vegetation clearing or grading activities and during vegetation clearing and grading activities.</p>	<p>Evidence to the City:</p> <ul style="list-style-type: none"> • A qualified biologist is retained; • The required pre-construction surveys have been completed, and, if necessary, a burrowing owl protection and relocation program is established and submitted to the CDFW and USFW for review and approval; • Appropriate avoidance buffers are established; and
<p>MITIGATION MEASURE BIO-2: Preconstruction Surveys for Burrowing Owl: Preconstruction surveys for burrowing owl shall be conducted prior to vegetation clearing or grading of the project site. Two surveys are required and shall follow the methods described in the California Department of Fish and Wildlife (CDFW's) Staff Report on Burrowing Owl Mitigation. The first survey shall be conducted between 30 and 14 days before initial ground disturbance (grading, grubbing, and construction), and the second survey shall be conducted no more than 24 hours prior to initial ground disturbance. If burrowing owls and/or suitable burrowing owl burrows are identified on the project site during the survey, the project Applicant shall consult with CDFW and follow the methods listed in the CDFW's Staff Report on Burrowing Owl Mitigation for avoidance and/or passive relocation.</p>	<p>City of Fontana Community Development Director or designee.</p>	<p>Prior to the start of vegetation clearing or grading activities and during vegetation clearing and grading activities.</p>	<p>Evidence to the City:</p> <ul style="list-style-type: none"> • A qualified biologist is retained; • The required pre-construction surveys have been completed, and, if necessary, a burrowing owl protection and relocation program is established and submitted to the CDFW and USFW for review and approval; • Appropriate avoidance buffers are established; and

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<p>If burrowing owls or suitable burrowing owl burrows with sign (e.g., whitewash, pellets, feathers, prey remains) are identified on the project site during the survey(s), these features must be completely avoided. If impacts to those features are unavoidable, then the project Applicant must develop a burrowing owl mitigation plan in consultation with CDFW. Mitigation methods may include passive relocation conducted outside of the owl breeding season (between September 1 and February 28), if an active owl burrow is identified, and construction is to proceed, then a qualified biologist (with two or more years of burrowing owl experience) must establish an initial disturbance-limit buffer of 500 feet around the burrow using flagging or staking. The buffer distance may be reduced in coordination with CDFW depending on time of year (i.e., in or out of breeding season), level of construction activity, and observed behavior of the burrowing owls. Construction activities shall not occur within any buffer zones until the burrow is deemed inactive by the qualified biologist. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee.</p>	City of Fontana Community Development Director or designee.	Prior to the start of clearing of vegetation, removal of the abandoned portable structure, or grading and during project construction.	<ul style="list-style-type: none"> Required and applicable provisions of the burrowing owl protection and relocation program have been satisfied prior to the start of any on-site ground disturbance activity.
<p>MITIGATION MEASURE BIO-3: Preconstruction Survey for Bat Species. Within 14 days prior to the start of clearing of vegetation, removal of the abandoned portable structure, or grading, a qualified bat biologist shall conduct a bat survey at the abandoned portable structure to determine if any change in bat use at the structure has occurred since</p>	City of Fontana Community Development Director or designee.	Prior to the start of clearing of vegetation, removal of the abandoned portable structure, or grading and during project construction.	<p>Evidence to the City:</p> <ul style="list-style-type: none"> A qualified biologist is retained; and The required pre-construction survey has been completed, and, if

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<p>the initial bat habitat assessment. If evidence of bat occupation is present, the biologist shall conduct follow-up nighttime emergence surveys to determine the species present and to evaluate the size and significance of the colony. If roosting bats are determined to be present, the qualified bat biologist shall prepare a Bat Management Plan that would outline project-specific protective measures to avoid and minimize impacts to roosting bats during project construction. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee.</p>			<p>necessary, prepare a Bat Management Plan with appropriate measures to avoid and minimize impacts to bats.</p>
<p>MITIGATION MEASURE BIO-4: Tree Avoidance and Removal Process. If trees are scheduled to be removed (e.g., relocating) or modified (i.e., trimming) that were determined to be suitable for bat roosting, these activities shall be scheduled during seasonal periods of bat activity - September 1 to October 15 or when evening temperatures are not below 45 degrees (Fahrenheit) or rainfall in excess of 0.5 inch within 24 hours; or between March 1-April 15 with the same parameters:</p> <ol style="list-style-type: none"> 1. If tree removal/modification must occur during the maternity season (generally from April 16 to August 31), a qualified bat biologist shall conduct a focused emergence survey(s) of the tree(s) within 48 hours of scheduled work. If a maternity roost is located, whether solitary or colonial, that roost shall remain undisturbed until after the maternity season or until a 	<p>City of Fontana Community Development Director or designee.</p>	<p>Within 48 hours of scheduled work and during construction.</p>	<p>Evidence to the City:</p> <ul style="list-style-type: none"> • A qualified biologist is retained; • If necessary, conduct a focused emergence survey(s) of the tree(s); and • If applicable, three removal occurs in accordance with the mitigation measure.
			<p>Issuance of stop work order.</p>

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<p>qualified biological monitor has determined the roost is no longer active.</p> <p>2. If trees with suitable bat roosting habitat are scheduled for removal or relocation outside of the maternity season, tree removal during the weather parameters described above using the two-step method shall be conducted:</p> <ul style="list-style-type: none"> i. Vegetation and trees within the area that are not suitable for roosting bats shall be removed first to provide a disturbance that might reduce the likelihood of bats using the habitat. ii. Two-step tree removal shall occur over two consecutive days under the supervision of a qualified bat biologist. On Day 1, small branches and small limbs containing no cavity, crevice or exfoliating bark habitat on habitat trees (or outer fronds in the case of palm trees), as identified by a qualified bat biologist are removed first, using chainsaws only (i.e., no dozers, backhoes). The following day (Day 2), the remainder of the tree is to be felled/removed. (The intention of this method is to disturb the tree with noise and vibration and branch removal on Day 1. This should cause any potentially present day-roosting bats to abandon the roost tree after they emerge for nighttime foraging. Removing the tree quickly the next 			

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<p>consecutive day shall avoid reoccupation of the tree by bats).</p> <p>This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee.</p>			
<p>MITIGATION MEASURE BIO-5: Preconstruction Survey for Nesting Birds. If construction or other project activities are scheduled to occur during the nesting bird season (generally February 1 through August 31), a preconstruction nesting bird survey shall be conducted by a qualified avian biologist to ensure that active bird nests would not be disturbed or destroyed. The survey shall be completed no more than three days prior to initial clearing of vegetation or grading. The nesting bird survey shall include the project site and adjacent areas where project activities have the potential to affect active nests, either directly or indirectly, due to construction activity, noise, human activity, or ground disturbance.</p> <p>If an active nest is identified, a qualified avian biologist shall establish an appropriately sized non-disturbance buffer between 100 and 300 feet (500 feet for raptors) around the nest, depending on bird species, behavior, and level of construction activity, using flagging or staking. Construction activities shall not occur within any non-disturbance buffer zones until the nest is deemed inactive by the qualified avian biologist. If initial ground-disturbing activities are scheduled to occur during the nesting bird season, then a biological monitor shall be present during all</p>	<p>City of Fontana Community Development Director or designee.</p>	<p>Prior to initial clearing of vegetation and grading and during project construction.</p>	<p>Evidence to the City:</p> <ul style="list-style-type: none"> A qualified biologist is retained; and The required pre-construction survey has been completed, and, if necessary, appropriate buffers are established and monitored until the nesting effort is finished.
			<p>Issuance of stop work order.</p>

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<p>vegetation removal activities to ensure no impacts to nesting birds occur.</p> <p>GEOLOGY AND SOILS</p> <p>MITIGATION MEASURE GEO-1: Prior to issuance of grading and/or building permits, the project Applicant shall provide evidence to the City of Fontana (City) for review and approval that the proposed project site, residential buildings, all ancillary structures and facilities, and associated infrastructure have been designed and would be constructed in conformance with applicable provisions of the 2022 edition of the California Building Code (CBC) (or the most current edition of the CBC in effect at the time the development application is deemed complete by the City).</p> <p>Additionally, the project Applicant shall provide evidence to the City that the earthwork recommendations cited in the project-specific Geotechnical Investigation are incorporated into project plans and/or implemented as deemed appropriate by the City. Geotechnical recommendations include, but are not limited to, removal of existing vegetation and deleterious materials, utilities, and any other surface and subsurface improvements that would not remain in place for use with the new development. Earthwork, over-excavation, and ground improvement shall occur to depths specified in the Geotechnical Investigation to provide a sufficient layer of engineered fill or densified soil beneath the structural</p>	<p>Prior to the issuance of grading or building permits, and during construction.</p>	<p>Evidence to the City:</p> <ul style="list-style-type: none"> Proposed features, structures, and facilities have been designed and would be constructed per the 2022 CBC or most current edition; Recommendations cited in the geotechnical report are incorporated into project plans and/or implemented as deemed appropriate by the City; Retention of structural engineer to perform verification testing upon completion of ground improvements. 	<p>Withhold grading or building permits, or issuance of a stop work order.</p>

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<p>footings/foundations, as well as proper surface drainage devices and erosion control.</p> <p>A California-licensed structural engineer must conduct verification testing upon completion of ground improvements to confirm that the compressible soils have been sufficiently densified. Additionally, the structural engineer must determine the ultimate thickness and reinforcement of the building floor slabs based on the imposed slab loading and verify seismic design parameters in accordance with American Society of Civil Engineers (ASCE) 7-16 Section 11.4.8. This measure shall be implemented to the satisfaction of the City Director of Building and Safety or designee.</p>	During construction.	<p>Evidence to the City:</p> <ul style="list-style-type: none"> A professional paleontologist who meets the qualifications established by the Society of Vertebrate Paleontology is retained; and Recommendations for the treatment and disposition of the discovered resources, and the need for subsequent paleontological 	Issuance of a stop work order.
<p>MITIGATION MEASURE GEO-2: During construction activities, in the event that paleontological resources are encountered, work in the immediate area of the discovery shall be halted, and a professional paleontologist who meets the qualifications established by the Society of Vertebrate Paleontology shall be retained to assess the discovery. The qualified professional paleontologist shall make recommendations regarding the treatment and disposition of the discovered resources, as well as the need for subsequent paleontological monitoring; collection of observed resources; preservation, stabilization, and identification of collected resources; curation of scientifically significant resources into a museum repository; and preparation of a monitoring report of findings. This measure shall be implemented</p>	City of Fontana Community Development Director or designee.		

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to the satisfaction of the City of Fontana Community Development Director, or designee.		mitigation by the professional paleontologist.	
HAZARDS AND HAZARDOUS MATERIALS			
<p>Mitigation Measure HAZ-1: Prior to the removal of the mobile classroom trailer from the project site, the project applicant shall provide to the City for review and approval that a lead-based paint (LBP) survey has been completed for the mobile classroom trailer. If no LBP is detected, no further mitigation is required.</p> <p>Should LPB containing materials be detected during the survey, prior to the removal of the mobile classroom trailer from the project site, the project Applicant shall retain a California Department of Public Health Lead Inspector Assessor to abate LBP from the project site. The Lead Inspector Assessor shall provide a construction and demolition plan with disposal tickets from a San Bernardino County Department of Public Works-Solid Waste Management Division-approved disposal facility and South Coast Air Quality Management District air clearances prior to any lead removal activity, and a lead report shall be provided to the City prior to any lead removal activity. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee, and/or Building and Safety Division, or designee.</p>	Prior to any lead removal activity and removal of the mobile classroom trailer from the project site.	<p>Evidence to the City:</p> <ul style="list-style-type: none"> A lead-based paint (LBP) survey has been completed for the mobile classroom trailer; If necessary, retention of California Department of Public Health Lead Inspector Assessor to abate LBP from the project site; If necessary, a construction and demolition plan with disposal tickets; and If necessary, a lead report shall be provided to the City prior to any lead removal activity. 	Issuance of stop work order.

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<p>Mitigation Measure HAZ-2: In the event subsurface irrigation pipes, septic facilities, or any other on-site features suspected to contain asbestos are encountered during ground-disturbing activities, excavation within 60 feet of the material shall be halted, and the project Applicant shall retain a qualified California Division of Occupational Safety and Health (Cal/OSHA) Certified Site Surveillance Technician to evaluate whether the features or materials warrant further assessment or remediation pursuant to Title 8, California Code of Regulations (CCR) Section 1529. Caution shall be taken not to crush the pipes until it can be ascertained that they do not contain asbestos. In the event the City, through consultation with the Cal/OSHA Certified Site Surveillance Technician, determines the material is not hazardous, no further remedial action is required, and the material shall be disposed of in accordance with the Code Enforcement Division of the Fontana Police Department.</p> <p>In the event the material is deemed to contain asbestos, the project Applicant shall retain a Certified Asbestos Consultant to provide a construction and demolition plan with disposal tickets from a San Bernardino County Department of Public Works-Solid Waste Management Division-approved disposal facility. As required, the Certified Asbestos Consultant shall prepare and submit Asbestos Notification to the South Coast Air Quality Management District (SCAQMD) for air clearances. The Certified Asbestos Consultant shall prepare an asbestos disposal report</p>	<p>City of Fontana Community Development Director or designee, and/or Building and Safety Division, or designee.</p>	<p>During ground-disturbing activities.</p>	<p>Evidence to the City:</p> <ul style="list-style-type: none"> • If necessary, retention of a qualified California Division of Occupational Safety and Health (Cal/OSHA) Certified Site Surveillance Technician; • If necessary, material is disposed in accordance with the Code Enforcement Division of the Fontana Police Department; • If necessary, retention of a Certified Asbestos Consultant to provide a construction and demolition plan with disposal tickets; • If necessary, prepare and submit Asbestos Notification to the South Coast Air Quality Management District (SCAQMD) for air clearances; and • If necessary, prepare an asbestos disposal report 	<p>Issuance of stop work order.</p>

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<p>for City review prior to final disposal. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee, and/or Building and Safety Division, or designee.</p> <p>MITIGATION MEASURE HAZ-3: Should grubbing, grading, or any other ground-disturbing activities reveal any discolored soils, noxious odors, and/or other buried objects/debris, the project Applicant shall retain a consultant qualified under American Society for Testing and Materials (ASTM) International Standard E1527-13 to evaluate the conditions and provide recommendations if needed. If the qualified consultant determines the subject materials are not hazardous, no further remedial action is required, and the material shall be disposed of in accordance with the Code Enforcement Division of the Fontana Police Department.</p> <p>In the event the material is deemed potentially hazardous, the qualified consultant shall conduct a soil investigation on the project site to assess the potential presence of hazardous materials. The soil investigation shall meet or exceed the standards of the California Department of Food and Agriculture and comply with the Maximum Residue Limits established in 40 Code of Federal Regulations 180 for any pesticide chemicals identified on the site. Construction may not proceed until the extent and nature of the suspect material is determined by qualified personnel and in consultation with</p>	<p>During grubbing, grading, or any other ground-disturbing activities.</p>	<p>for City review prior to final disposal.</p> <p>Evidence to the City:</p> <ul style="list-style-type: none"> If necessary, retention of a consultant qualified under American Society for Testing and Materials (ASTM) International Standard E1527-13 to evaluate the conditions and provide recommendations; If necessary, material is disposed in accordance with the Code Enforcement Division of the Fontana Police Department; If necessary, conduct a soil investigation on the project site to assess the potential presence of hazardous materials; If necessary, remove any and/or dispose any 	<p>Issuance of a stop work order.</p>

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<p>appropriate City staff.</p> <p>The removal and/or disposal of any hazardous material shall be conducted by a California Division of Occupational Safety and Health (Cal/OSHA) licensed Hazardous Materials Substances Removal contractor in accordance with all applicable local, State, and federal standards to the degree that adequate public health and safety standards are maintained, to the satisfaction of the City. If appropriate, the City may enter into a Voluntary Cleanup Plan (VCP) with the California Department of Toxic Substances Control (DTSC) to coordinate remediation of the site. If a VCP is established, the City shall enter into a memorandum of agreement with the DTSC to support and strengthen efforts to achieve protective cleanups under State oversight. The City shall ensure advance payment is made and the City and/or project Applicant is committed to paying all subsequent VCP costs, including those associated with DTSC's oversight. The VCP shall be managed by a Hazardous Substances Scientist or Hazardous Substances Engineer and shall include details about site conditions, proposed land use, and potential community concerns. In the VCP, the DTSC retains its authority to take enforcement action if, during the investigation or cleanup, it determines the site presents a serious health threat, and proper and timely action is not otherwise being taken. When remediation is complete, the DTSC shall issue either a site certification of completion or a "No Further Action" letter, depending on the project</p>		<p>hazardous material by a California Division of Occupational Safety and Health (Cal/OSHA) licensed Hazardous Materials Substances Removal contractor;</p> <ul style="list-style-type: none"> • If appropriate, the City may enter into a Voluntary Cleanup Plan (VCP) with the California Department of Toxic Substances Control (DTSC) to coordinate remediation of the site; • If necessary, advance payment is made and the City and/or project Applicant is committed to paying all subsequent VCP costs; and • If necessary, DTSC issues either a site certification of completion or a "No Further Action" letter. 	

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<p>circumstances. This means "The Site" is now property that is ready for productive economic use.</p> <p>This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee, and/or Building and Safety Division, or designee.</p>			
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STANDARD CONDITIONS

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BIOLOGICAL RESOURCES					
STANDARD CONDITION BIO-1: Prior to removal of any tree from the project site, the project applicant shall coordinate with City staff to identify suitable replacement trees in accordance with Section 28-67(c) of Article III: Preservation of Heritage, Significant, and Specimen Trees of the City Municipal Code. Each living tree shall be replaced pursuant to the tree requirements codified in Article III: Preservation of Heritage, Significant, and Specimen Trees of the City Municipal Code and approved by City staff. This condition shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee.	City of Fontana Community Development Director or designee.	Prior to removal of the any tree on the project site.	Evidence to the City of coordination regarding the identification of suitable replacement trees pursuant to the Biological Resources and Arborist Report.		Issuance of a stop work order.
CULTURAL RESOURCES					
STANDARD CONDITION CUL-1: Upon discovery of any cultural, tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed by an archaeological monitor who would be retained by the project Applicant to monitor all subsequent ground-disturbing activity in native soils under the supervision of a project archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for archaeology. All cultural, tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the archaeological monitor and tribal monitor/consultant. If the resources are Native	City of Fontana Community Development Director or designee.	During construction.	Evidence to the City: <ul style="list-style-type: none"> Project Applicant/developer retains an archaeological monitor who would be supervised under a project archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for archaeology; Appropriate buffers are 		Issuance of a stop work order.

MITIGATION MONITORING AND REPORTING PROGRAM MAPLE AND FOOTHILL RESIDENTIAL PROJECT

Project Name: Maple and Foothill Residential Project		Applicant: Diversified Pacific	Verified Date/Initials	Sanctions for Non- Compliance	
Standard Condition No. / Implementing Action		Date: February 20, 2025	Method of Verification	Timing of Verification	Responsible for Monitoring
<p>American in origin, the property owner shall coordinate with interested Tribes (as a result of correspondence with area Tribes) regarding treatment and curation of these resources. Typically, the Tribes will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.</p>	<p>City of Fontana Community Development Director or designee.</p>	<ul style="list-style-type: none"> • Established as necessary; • Recommendation for the treatment and disposition of resources by the qualified archaeologist in consultation with the Tribe[s], Native American monitor[s], and the archaeological monitor. 	<ul style="list-style-type: none"> • Recommendation for the treatment and disposition of Tribal Cultural resources by the Project Applicant/developer-retained archaeological monitor in consultation with the Tribe[s]; and • Proof of receipt of non-Native American historic archaeological material by a public, non-profit institution with a research interest in the said materials, or to the Tribe[s], local school, or historical society in the area for education 	<p>During construction.</p>	<p>Issuance of a stop work order.</p>
<p>STANDARD CONDITION CUL-2: Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource from the area of ground disturbance along with subsequent laboratory processing and analysis. All removed Tribal Cultural Resources shall be returned to the Tribes. 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, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.</p>	<p>City of Fontana Community Development Director or designee.</p>	<ul style="list-style-type: none"> • Evidence to the City: • Recommendation for the treatment and disposition of Tribal Cultural resources by the Project Applicant/developer-retained archaeological monitor in consultation with the Tribe[s]; and • Proof of receipt of non-Native American historic archaeological material by a public, non-profit institution with a research interest in the said materials, or to the Tribe[s], local school, or historical society in the area for education 	<ul style="list-style-type: none"> • Recommendation for the treatment and disposition of Tribal Cultural resources by the Project Applicant/developer-retained archaeological monitor in consultation with the Tribe[s]; and • Proof of receipt of non-Native American historic archaeological material by a public, non-profit institution with a research interest in the said materials, or to the Tribe[s], local school, or historical society in the area for education 	<p>During construction.</p>	<p>Issuance of a stop work order.</p>

MITIGATION MONITORING AND REPORTING PROGRAM MAPLE AND FOOTHILL RESIDENTIAL PROJECT

Project Name: Maple and Foothill Residential Project		Applicant: Diversified Pacific			
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Standard Condition No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
<p>STANDARD CONDITION CUL-3: Archaeological and Native American monitoring and excavation during construction projects shall 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 shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The principal personnel shall ensure that the archaeological monitor and all other personnel are appropriately trained and qualified.</p>	<p>City of Fontana Community Development Director or designee.</p>	<p>Project duration.</p>	<p>Evidence to the City:</p> <ul style="list-style-type: none"> Project Applicant/developer-retained principal personnel that meets the Secretary of the Interior's standards for archaeology and have a minimum of 10 years' experience as a principal investigator; and The archaeological monitor and all other personnel are appropriately trained and qualified. 		<p>Issuance of a stop work order.</p>
<p>STANDARD CONDITION CUL-4: Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered during project construction activities, no further disturbance shall occur within 100 feet of the find and the Project Applicant shall notify the San Bernardino County Coroner and the City of Fontana Community Development Director or designee. The County Coroner shall make a determination of origin and disposition. If the San Bernardino County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted by the Coroner within the period specified by law (24 hours). Subsequently, the Native American Heritage</p>	<p>City of Fontana Community Development Director or designee.</p>	<p>During construction.</p>	<p>Evidence to the City:</p> <ul style="list-style-type: none"> Appropriate buffer areas have been established as applicable; and Coordinate with Native American Tribe[s], City of Fontana Community Development Director (or designee), and County Coroner as necessary. 		<p>Issuance of a stop work order.</p>

**MITIGATION MONITORING AND REPORTING PROGRAM
MAPLE AND FOOTHILL RESIDENTIAL PROJECT**

Project Name: Maple and Foothill Residential Project		Applicant: Diversified Pacific	Sanctions for Non-Compliance
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<p>Commission shall identify the “Most Likely Descendant”. The Most Likely Descendant shall then make recommendations and engage in consultation with the property owner concerning the treatment of the remains and any associated items as provided in Public Resources Code Section 5097.98. Additionally, the specific locations of Native American burials and reburials shall be proprietary and not disclosed to the general public.</p>			
HYDROLOGY AND WATER QUALITY			
<p>STANDARD CONDITION HYD- 1: Prior to issuance of a grading permit, the project Applicant shall obtain coverage under the State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2022-0057-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit). This shall include submission of Permit Registration Documents (PRDs), including a Notice of Intent for coverage under the permit to the State Water Resources Control Board (SWRCB) via the Stormwater Multiple Application and Report Tracking System (SMARTS). The Project Applicant shall provide the Waste Discharge Identification Number (WDID) to the City of Fontana (City), or designee, to demonstrate proof of coverage under the Construction General Permit. Project construction shall not be initiated until a WDID is received from the SWRCB and is provided to the City, or designee. A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the proposed project in compliance</p>	<p>Director of the City of Fontana Public Works Department, or designee.</p>	<p>Prior to issuance of a grading permit, during construction, and upon completion of construction.</p>	<p>Evidence to the City:</p> <ul style="list-style-type: none"> • A Waste Discharge Identification Number (WDID) is obtained for the Project from the SMARTS; • Project coverage under the Construction General Permit; • Submittal of a Stormwater Pollution Prevention Plan to the City that includes BMPs; and • Submittal of a Notice of Termination via SMARTS.
			<p>Withhold grading permit or issuance of a stop work order.</p>

**MITIGATION MONITORING AND REPORTING PROGRAM
MAPLE AND FOOTHILL RESIDENTIAL PROJECT**

Project Name: Maple and Foothill Residential Project		Applicant: Diversified Pacific	Sanctions for Non-Compliance
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with the requirements of the Construction General Permit. The SWPPP shall identify construction best management practices (BMPs) to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in stormwater runoff as a result of construction activities. Upon completion of construction and stabilization of the site, a Notice of Termination shall be submitted via SMARTs.	Responsible for Monitoring	Timing of Verification	Sanctions for Non-Compliance
STANDARD CONDITION HYD-2: Prior to the commencement of any land disturbing activities, the project Applicant shall develop a Stormwater Pollution Prevention Plan to the City for review and approval that incorporates Best Management Practices to protect water quality during construction activities pursuant to Section 23-519 of the City Municipal Code.	Director of the City of Fontana Public Works Department, or designee.	Prior to ground disturbing activities.	Issuance of stop work order.
STANDARD CONDITION HYD-3: Prior to issuance of a grading permit, the project Applicant shall submit a Final Water Quality Management Plan (Final WQMP) to the City of Fontana (City) for review and approval in compliance with the requirements of the Santa Ana Regional Water Quality Control Board's NPDES Permit Waste Discharge Requirements for the San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of San Bernardino County Within the Santa Ana Region Area-Wide Urban Stormwater Runoff Management Program (Order No. R8-2010-0036, NPDES No. CAS618036) (San	Director of the City of Fontana Public Works Department, or designee.	Prior to the issuance of grading permit and occupancy permit.	Withhold grading permit or occupancy permit.

MITIGATION MONITORING AND REPORTING PROGRAM MAPLE AND FOOTHILL RESIDENTIAL PROJECT

Project Name: Maple and Foothill Residential Project		Applicant: Diversified Pacific	Sanctions for Non-Compliance	
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<p>Bernardino County MS4 Permit) or subsequent permit. The Final WQMP shall specify the Best Management Practices (BMPs) to be incorporated into the project design to target pollutants of concern in stormwater runoff from the project site and the necessary operation and maintenance activity for each BMP. The City shall ensure that the BMPs specified in the Final WQMP are incorporated into the final project design. The proposed BMPs specified in the Final WQMP shall be incorporated into the grading and development plans submitted to the City for review and approval. Project occupancy and operation shall be in accordance with the schedule outlined in the WQMP.</p>				
<p>STANDARD CONDITION HYD-4: Prior to issuance of a grading permit, the Project Applicant shall submit a grading plan and landscaping plan that incorporates the stormwater management, rainwater retention, and Low Impact Development requirements outlined in the City of Fontana's Municipal Code to the City for review and approval.</p>	<p>Prior to the issuance of grading permit.</p>	<p>Submittal to City of a final grading plan and landscaping plan that incorporates City requirements for stormwater management, rainwater retention, and Low Impact Development per the City's Municipal Code.</p>		<p>Withhold grading permit.</p>
NOISE				
<p>STANDARD CONDITION NOI-1: Prior to issuance of grading and building permits, the Project Applicant shall provide evidence to the City that construction plans include direction to adhere to the following source controls at all times:</p> <p>a) Construction shall be limited to 7:00 a.m. to 6:00 p.m. on weekdays, 8:00 a.m. to 5:00 p.m. on</p>	<p>Prior to the issuance of grading and building permits and during construction activities.</p>	<p>Submittal to City of project construction plans that include direction to adhere to the City's noise source controls at all times, including work hours, model types, upkeep of construction</p>		<p>Withhold grading and building permits, or issuance of stop work order.</p>

**MITIGATION MONITORING AND REPORTING PROGRAM
MAPLE AND FOOTHILL RESIDENTIAL PROJECT**

Project Name: Maple and Foothill Residential Project		Applicant: Diversified Pacific	Sanctions for Non-Compliance
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<p>Saturdays, and no construction on Sundays and holidays unless it is approved by the building inspector for cases that are considered urgently necessary as defined in Section 18-63(7) of the Municipal Code.</p> <p>b) For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.</p> <p>c) The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.</p> <p>d) Have only necessary equipment onsite.</p> <p>e) Use manually-adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:</p> <ul style="list-style-type: none"> i. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers. ii. Temporarily enclose localized and stationary noise sources. iii. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive 	<p>equipment, and path controls where necessary and physically feasible.</p>		

**MITIGATION MONITORING AND REPORTING PROGRAM
MAPLE AND FOOTHILL RESIDENTIAL PROJECT**

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receivers as practical.			
This condition shall be implemented to the satisfaction of the City of Fontana Building Inspector.			
		Verified Date/ Initials	