

SCH Summary Form Attachment A – Impact and Mitigation Summary

Biological Resources:

MM BIO-1 Pre-Construction Survey for Nesting Birds

Nesting birds are protected under the Migratory Bird Treaty Act (MBTA). During construction, the Proposed Project would comply with the MBTA, which requires that nesting bird surveys be conducted prior to the start of vegetation clearance activities should they occur during nesting season: February 15 through September 15. In compliance with the MBTA requirements, should vegetation clearance occur during the nesting bird season, a qualified biologist would conduct a nest survey within one week of the start of these activities to ensure no active nests were lost. If an active nest is located, then the nest should be flagged and construction within an appropriate distance of the nest should be postponed until the biologist has confirmed that the nest is no longer active. If this is not possible, prior to ground-disturbing activities, a qualified biologist should conduct and submit a migratory nesting bird and raptor survey report. The survey should occur no more than three days prior to initiation of Project activities, and any occupied passerine and/or raptor nests occurring within or adjacent to the Project site should be delineated. Additional follow-up surveys may be required by the resource agencies. To the maximum extent practicable, a minimum buffer zone around occupied nests should be maintained during physical ground-disturbing activities. The buffer zone should be sufficient in size to prevent impacts to the nest. Once nesting has ceased, the buffer may be removed. If work activities within the buffer cannot be avoided, a biological monitor shall be present during all construction activities within the avoidance buffer.

MM BIO-2 MSHCP Focused BUOW Survey

MSHCP Focused BUOW Surveys will be required to comply with Section 6.3.2 of the MSHCP. All MSHCP Focused BUOW Surveys must be conducted in accordance with the MSHCP Burrowing Owl Survey Instructions, including three stages (habitat assessment, burrow survey, and focused surveys) detailed below:

- **Habitat Assessment:** If a habitat assessment yields suitable habitat for BUOW, a focused burrow survey is required within the suitable habitat and 150 meters around the suitable habitat.
- **Burrow Survey:** If suitable burrows are found during the focused burrow survey within the suitable habitat, including the 150-meter buffer, then four breeding season focused burrowing owl surveys will be required.

- Focused Surveys: All four focused BUOW survey visits should be conducted during the breeding season (March 1-August 31), and no less than two weeks apart, when suitable habitat is present.

MM BIO-3

Pre-Construction BUOW Survey

If BUOW are not found during the MSHCP Focused BUOW Surveys, a Pre-Construction BUOW Survey shall be conducted within 30 days prior to ground disturbance to ensure that no owls have colonized suitable habitat areas in the days or weeks preceding the ground-disturbing activities (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, grading, etc.) and to avoid direct take of BUOW, in accordance with MSHCP Species Specific Objective 6.

If BUOW are identified on-site, avoidance measures will be developed in compliance with the MSHCP and in coordination with the CDFW and/or Western Riverside County Regional Conservation Authority (RCA). These measures would include the following as well as any others developed in coordination with CDFW and/or RCA:

- A biologist with knowledge of BUOW and its habitat will be retained to function as a biological monitor.
- The biological monitor will develop and implement a contractor education program with regard to the BUOW to be provided to all personnel (including temporary contractors and subcontractors) before beginning work on the Proposed Project.
- The biological monitor will be present during vegetation clearing, grading, and construction, to monitor occupied BUOW burrows and any construction-related impacts.
- Prior to any ground disturbance, all limits of Project construction will be delineated and marked to be clearly visible to personnel on foot and in heavy equipment. All construction-related activities (e.g., vegetation removal, grading, equipment lay-down and storage, and contractor parking) will occur inside the limits of construction and designated staging areas.
- Construction staging and equipment storage will be located outside any occupied BUOW burrow locations.
- All movement of contractors, subcontractors, or their agents and equipment will be restricted to the limits of construction and staging areas.
- A qualified biologist will conduct any necessary BUOW passive relocation that may be required to avoid Project effects to BUOW.

- If BUOW must be moved away from the proposed work area, passive relocation techniques would be used rather than actual avian trapping. At least one or more weeks would be necessary to accomplish this to allow the birds to acclimate to alternate burrows.
- The Proposed Project would provide funding for long-term management and monitoring of the protected lands acquired for BUOW impacts. This monitoring would include an annual report submittal to the CDFW. The agencies will make the final determination of avoidance, minimization, and mitigation measures.

MM BIO-4 Jurisdictional Waters Permitting

Prior to issuance of any grading permit or initiation of ground-disturbing activities, the applicant shall coordinate with appropriate regulatory agencies, including the USACE, RWQCB, and/or CDFW, to verify potential impacts to jurisdictional features and determine required permits. If the Proposed Project would result in impacts to jurisdictional waters, the applicant shall obtain all required permits and/or approvals from the applicable agencies (e.g., USACE CWA Section 404 permit, RWQCB 401 Water Quality Certification, and/or a CDFW LSAA). As part of the permit application process, the applicant shall quantify all permanent and temporary impacts to jurisdictional features and demonstrate impacts have been avoided and minimized to the maximum extent practicable. As a condition of Project approval, the applicant shall implement all avoidance, minimization, and compensatory mitigation measures required by these agencies, which may include, but are not limited to:

- Redesign to avoid waters to the maximum extent feasible;
- Establishment of protective setbacks or buffers;
- Implementation of erosion and sediment control measures;
- Restoration of temporarily disturbed areas; and,
- Compensatory mitigation through on-site or off-site habitat restoration or credit purchase.

Cultural Resources:

MM CUL-1 The City shall retain the services of a Qualified Archaeologist, meeting the Secretary of the Interior Standards, for the duration of ground-disturbing construction activity. All construction-related ground disturbing activity that includes cutting into native intact soils shall be monitored by a cultural resources specialist proficient in construction monitoring settings. The Qualified Archaeologist or cultural resources specialist working under the direction of the Qualified Archaeologist shall provide training to inform all construction personnel

prior to construction activities about the proper procedures in the event of an archaeological discovery. The training shall be held in conjunction with the Project's initial on-site safety meeting and shall explain the importance and legal basis for the protection of significant archaeological resources.

In the event of an inadvertent discovery of potential archaeological resources (artifacts or features) during ground-disturbing activities, construction activities within a 50-foot radius of the discovery shall be halted while the Qualified Archaeologist, in consultation with the City and any participating Tribal representatives, assesses the find. If the resource is determined to be significant or unique through significance evaluation, and site avoidance is not possible, appropriate site-specific mitigation measures shall be established and undertaken. These might include an archaeological mitigation and monitoring plan, treatment, or data recovery programs. All monitoring or associated plans would be prepared and implemented under the direction of a Qualified Archaeologist. All required close-out reporting would be completed in accordance with the Office of Historic Preservation's Archaeological Resource Management Reports (ARMR).

Paleontological Resources:

- MM PAL-1** The City shall be required to obtain the services of a Qualified Paleontologist to remain on-call for the duration of the ground-disturbing construction activity. Upon approval or request by the City, a paleontological mitigation plan (PMP) outlining procedures for paleontological monitoring and inadvertent discovery protocols shall be prepared for the Project and submitted to the City for review and approval. The development and implementation of the PMP shall include, but not be limited to, additional research and further assessment of paleontological sensitivity in the Project site, consultations with the City's engineering geologist, as well as a requirement that the curation of all specimens recovered under any scenario shall be through an appropriate repository agreed upon by the City. The PMP shall also include developing a multilevel ranking system, or Potential Fossil Yield Classification (PFYC), as a tool to demonstrate the potential yield of fossils within a given stratigraphic unit. The PMP shall outline the monitoring and salvage protocols to address inadvertent discovery of paleontological resources encountered during Project-related ground-disturbing activities. As well as the appropriate recording, collection, processing, curation, and reporting protocols to appropriately address any monitoring conducted or resources discovered.

Tribal Cultural Resources:

- MM TCR-1** Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with a participating tribal entity for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt

the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.

- MM TCR-2** Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all ground disturbing activities to identify any known or suspected archaeological and/or cultural resources. The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe[s] Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.
- MM TCR-3** Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribe[s] and shall include the following: approved Mitigation Measures (MM)/Conditions of Approval (COA), contact information for all pertinent parties, parties' responsibilities, procedures for each MM or COA, and an overview of the project schedule.
- MM TCR-4** The retained Qualified archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.
- MM TCR-5** During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be onsite full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.
- MM TCR-6** In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the City and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist in consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:

- A. Full avoidance.
- B. If avoidance is not feasible, Preservation in place.
- C. If Preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.
- D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1)

MM TCR-7

The following specific conditions will be imposed in order to protect Native American human remains and/or cremations. No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].

- A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.
- B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.

C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98

D. The MLD may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe's MLD, the landowner, and the City Planning Department.

MM TCR-8

The final report[s] created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center, and the Consulting Tribe[s].