

Mitigation Monitoring and Reporting Program (MMRP) for Final Initial Study Checklist/ Mitigated Negative Declaration

Cities of Calimesa and Yucaipa:

County Line Road and Calimesa Boulevard Road Improvements
(SCH NO. 2022020531)



City of Calimesa
908 Park Avenue
Calimesa, CA 92320

Contact: Kelly Lucia, Planning Manager
(909) 795-9801 ext. 229
klucia@cityofcalimesa.net



City of Yucaipa
34272 Yucaipa Blvd.
Yucaipa CA 92399

Contact: Fermin Preciado, Development
Services Director/City Engineer
(909) 797-2489 ext. 240
fpreciado@yucaipa.org

Applicants:

City of Calimesa and City of Yucaipa
Public Works Department

May 2022

1.0 MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to State of California Public Resources Code Section 21081.6, which requires adoption of a MMRP for projects in which the Lead Agency has required changes or adopted mitigation to avoid significant environmental effects. The Cities of Calimesa and Yucaipa are the lead agencies for the proposed County Line Road and Calimesa Boulevard Road Improvements project and, therefore, responsible for administering and implementing the MMRP. The decision-makers must define specific reporting and/or monitoring requirements to be enforced during project implementation prior to final approval of the proposed project. The primary purpose of the MMRP is to ensure that the mitigation measures identified in the County Line Road and Calimesa Boulevard Road Improvements IS/MND are implemented to reduce or avoid identified environmental effects.

The purpose of discussing the MMRP in the Final IS/MND is to reiterate to the reader the mitigation responsibilities of the Lead Agencies in implementing the proposed project. The mitigation measures listed in the MMRP are required by law or regulation and will be adopted by the cities as the primary project approval. Certain elements of the project will be adopted or approved by other entities, as indicated in the MMRP matrix.

Mitigation is defined by the California Environmental Quality Act (CEQA) as a measure which:

- Avoids the impact altogether by not taking a certain action or parts of an action
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment
- Reduces or eliminates the impact over time by preservation and maintenance activities during the life of the project
- Compensates for the impacts by replacing or providing substitute resources or environments

Mitigation measures provided in this MMRP were initially identified in Section 3.0, Initial Study/Determination of the Final IS/MND, as feasible and effective in mitigating project-related environmental impacts. Several of the mitigation measures are modified as a result of the public review process.

Basis for the Mitigation Monitoring and Reporting Program

The legal basis for the development and implementation of the MMRP lies within CEQA (including the California Public Resources Code). Sections 21002 and 21002.1 of the California Public Resources Code state:

- Public agencies are not to approve projects as proposed if there are feasible alternatives or feasible mitigation measures available that would substantially lessen the significant environmental effects of such projects; and
- Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.

Section 21081.6 of the California Public Resources Code further requires that: the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program must be adopted when a public agency makes its findings under CEQA so that the program can be made a condition of project approval in order to mitigate significant effects on the environment. The program must be designed to ensure compliance with mitigation measures during project implementation to mitigate or avoid significant environmental effects.

Mitigation Monitoring Program Procedures

The MMRP for the proposed project will be in place through all phases of the project, including design, prior to construction, during construction, and during operation. City of Calimesa shall have primary responsibility for administering the MMRP activities to staff, consultants, or contractors. The City has the responsibility of ensuring that monitoring is documented through periodic reports and that deficiencies are promptly corrected. The City's designated environmental monitor will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to remedy problems. Specific responsibilities of the City include:

- Coordination of all mitigation monitoring activities
- Management of the preparation, approval, and filing of monitoring or permit compliance reports
- Maintenance of records concerning the status of all approved mitigation measures.
- Assure quality control of field monitoring personnel.
- Coordinate with other agencies regarding compliance with mitigation or permit requirements.
- Review and recommend acceptance and certification of implementation documentation.
- Act as a contact for interested parties and surrounding property owners who wish to register complaints and observations of unsafe conditions and environmental violations; verify any such actions; and develop any necessary corrective actions.

Resolution of Noncompliance Complaints

Any person or agency may file a complaint that states noncompliance with the mitigation measures that were adopted as part of the approval process for the County Line Road and Calimesa Boulevard Road Improvements project. The complaint shall be directed to the City of Calimesa in written form providing detailed information on the purported violation. The City shall conduct an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure is verified, the City shall take the necessary action(s) to remedy the violation. The complaint shall receive written confirmation indicating the results of the investigation or the final corrective action that was implemented in response to the specific noncompliance issue.

Mitigation Monitoring and Reporting Plan Matrix

The MMRP is organized in a matrix format. The first column identifies the mitigation measure numbers. The second column identifies the mitigation measures. The third column, entitled "Time Frame for Implementation," refers to when monitoring will occur. The fourth column, entitled "Responsible Monitoring Agency," refers to the agency responsible for ensuring that the mitigation measure is implemented. The fifth column, entitled "Verification of Compliance," has a sub-column for Initials, Date and Remarks. This last column will be used by the lead agency to document the person who verified the implementation of the mitigation measure, the date on which this verification occurred, and any other notable remarks.

MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

Impact/Threshold	Project Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Party	Verification	
					Initials	Date
Air Quality						
Expose sensitive receptors to substantial pollutant concentrations?	MM AQ 1 The Project proponent and/or Contractor shall require, by contract specifications, that during construction, all rubber-tired dozers and graders shall be CARB certified Tier 3 or better.	During construction activities	Verification by City of Calimesa that incorporation of requirement is in the Contractor Specifications and Maintenance Records	City of Calimesa Public Works and City of Yucaipa Public Works		
Cultural Resources						
Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5	MM CR 1 In the event that cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease, and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the Project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within MM TCR 1, regarding any pre-contact and/or post-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment. If significant pre-contact and/or post-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered, and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within MM TCR 1. The archaeologist shall monitor the remainder of the project and implement the plan accordingly.	During construction, after discovery of cultural resources	Confirmation of qualified archaeologist retention/on-going monitoring/submitting of Report of Findings and curate discovered resources, if applicable	City of Calimesa Planning Division		
Project will cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.	MM CR 1 , see above	During construction, after discovery of cultural resources.	Confirmation of qualified archaeologist retention/on-going monitoring/submitting of Report of Findings and curate discovered resources, if applicable	City of Calimesa Planning Division		
Project will disturb any human remains, including those interred outside of formal cemeteries.	MM CR 2 Per State Health and Safety Code 7050.5, if human remains are encountered during construction, no further disturbance shall occur in the immediate vicinity (within a 100-foot buffer) until the San Bernardino County Coroner or Riverside County Coroner, depending on where remains were encountered, has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The San Bernardino County Coroner or Riverside County Coroner must be notified within 24 hours. If the County Coroner determines that the remains are not historic, but prehistoric, the Native American Heritage Commission (NAHC) must be contacted to determine the most likely descendent (MLD) for this area. Once the most likely descendent is determined, treatment of the Native American human remains will proceed pursuant to Public Resources Code Section 5097.98. This measure will be added to the construction specifications.	During construction activities, after discovery of human remains	Verification by City of Calimesa that incorporation of requirement is in the Construction Specifications, County Coroner report, if applicable	City of Calimesa Planning Division		

Impact/Threshold	Project Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Party	Verification		Remarks
					Initials	Date	
Geological Resources							
The Project will directly or indirectly destroy a unique paleontological resource or site or unique geologic feature	<p>MM GEO 1</p> <p>If any paleontological resources are exposed during ground excavation disturbance, ground disturbance activities in the vicinity of the discovery will be terminated immediately and a qualified paleontological resources specialist will be retained to evaluate the resources. If the find is determined to be significant, avoidance or other appropriate measures as identified by the paleontologist shall be implemented. Appropriate measures would include that a qualified paleontologist be permitted to recover, evaluate and curate the find(s) in accordance with current standards and guidelines from the Society of Vertebrate Paleontology. If specimens are found, the qualified paleontologist shall prepare a report of findings, including an itemized inventory of recovered specimens and discussion of significance, upon completion of all Project fieldwork. This measure will be added to the project's construction specifications.</p>	During construction, after discovery of paleontological resources.	Verification by City of Calimesa that incorporation of requirement is in the Construction Specifications. Confirmation of qualified paleontologist retention / submittal of Report of Findings and curate discovered resources, if applicable	City of Calimesa Planning Division			
Hazards and Hazardous Materials							
Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<p>MM HAZ 1</p> <p>Prior to ground disturbance, the Project proponent shall have a Phase II ESA prepared for the Dinosaur Tire and Service (former gasoline station) at 13715 Calimesa Boulevard to geophysical survey the site to identify the location of the former USTs and associated piping and dispensers and to conduct an assessment of soil and soil vapor in the vicinity of the former USTs, dispensers, piping, in ground hoist(s), and clarifiers that may be currently in use on the property. Remediation recommended by the Phase II ESA analysis shall be performed to areas impacted by the Project. Evidence of completion of the remediation recommended in the Phase II ESA and the completed Phase II ESA report shall be submitted to the Cities for review. The completion and remediation for this site shall be reflected in the Project's construction specifications.</p>	Prior to ground disturbance	Approval of Phase II ESA Report and verify evidence of remediation completed and reflected in construction specifications	City of Calimesa Public Works and City of Yucaipa Public Works			
Noise							
Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies	<p>MM NOISE 1</p> <p>During Project construction, stockpiling, stationary noise-generating equipment and vehicle staging areas shall be located as far as is practicable from any existing structure designed for human occupancy.</p> <p>MM NOISE 2</p> <p>Construction activities shall be limited to the hours allowed in each City. Construction during other periods, including Sundays and holidays, shall be limited to emergencies and activities determined to be in the interest of the general public.</p> <p>MM NOISE 3</p> <p>All construction equipment shall be operated with mandated noise control equipment (i.e., mufflers or silencers).</p>	During construction	Verification by City of Calimesa that incorporation of requirement is in the Contractor Specifications, Periodic Monitoring Reports	City of Calimesa Public Works and City of Yucaipa Public Works			
		During construction	Verification by City of Calimesa that incorporation of requirement is in the Contractor Specifications, Periodic Monitoring Reports	City of Calimesa Public Works and City of Yucaipa Public Works			
		During construction	Verification by City of Calimesa that	City of Calimesa Public Works and			

Impact/Threshold	Project Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Party	Verification	
					Initials	Date
Remarks						
			incorporation of requirement is in the Contractor Specifications, Periodic Monitoring Reports	City of Yucaipa Public Works		
	<p>MM NOISE 4 The City of Calimesa and the City of Yucaipa shall respond to any noise complaints received for this Project by measuring noise levels at the affected receptor site. If the monitored noise level exceeds the City of Calimesa noise standards, in accordance with Chapter 8.15 Noise Abatement and Control, or with the City of Yucaipa noise standards, in accordance to Chapter 9, 87.0905 Noise, the construction contractor shall implement adequate measures (which may include portable sound attenuation walls, use of quieter equipment, shift of construction schedule to avoid the presence of sensitive receptors, etc.) to reduce noise levels to the greatest extent feasible. Any monitoring shall be conducted by a qualified acoustical firm under contract with the construction contractor and responsible to the City of Calimesa and the City of Yucaipa. This measure will be added to the project's construction specifications.</p>	During construction	Verification by City of Calimesa that incorporation of requirement is in the Contractor Specifications, Periodic Monitoring Reports	City of Calimesa Public Works and City of Yucaipa Public Works		
Project will generate excessive groundborne vibration or groundborne noise levels.	<p>MM NOISE 1, MM NOISE 2, MM NOISE 3, and MM NOISE 4, above.</p>	During construction	Verification by City of Calimesa that incorporation of requirement is in the Contractor Specifications, Periodic Monitoring Reports	City of Calimesa Public Works and City of Yucaipa Public Works		
Transportation						
Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<p>MM TRANS 1 The Project construction contractor shall provide adequate traffic management resources, as determined by the City of Calimesa and the City of Yucaipa, to ensure adequate access to all occupied properties on a daily basis, including emergency access. A construction traffic management plan shall be prepared and approved by the City of Calimesa and the City of Yucaipa, for their respective jurisdictions, prior to initiation of construction within the Project. The plan may include the following components: protective devices, flag person(s) or police assistance for traffic control, to maintain safe traffic flow on local streets affected by construction at all times. This measure will be added to the Project's construction specifications.</p>	Prior to and during construction	Approved traffic management plan	City of Calimesa Public Works and City of Yucaipa Public Works		
Result in inadequate emergency access	<p>MM TRANS 1, see above</p>	Prior to and during construction	Approved traffic management plan	City of Calimesa Public Works and City of Yucaipa Public Works		
Tribal Cultural Resources						
Project will cause a substantial adverse change in the significance of a tribal cultural resource defined in Public Resources Code section 21074	<p>MM CR 1, see above</p>	During construction, after discovery of cultural resources.	Confirmation of qualified archeologist retention/on-going monitoring/submital of Report of Findings and	City of Calimesa Planning Division		

Impact/Threshold	Project Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Party	Verification	
					Initials	Date
<p>as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(b), or</p> <p>a resource determined by the lead agency in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe</p>	<p>The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in MM CR 1, of any pre-contact and/or post-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 discovery be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources 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 represent SMBMI for the remainder of the Project, should SMBMI elect to place a monitor onsite.</p> <p>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.</p>		<p>curate discovered resources, if applicable</p>			
<p>Project will cause a substantial adverse change in the significance of a tribal cultural resource defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is</p> <p>a resource determined by the lead agency in its discretion and supported by substantial</p>	<p>MM TCR-1</p> <p>The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in MM CR 1, of any pre-contact and/or post-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 discovery be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources 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 represent SMBMI for the remainder of the Project, should SMBMI elect to place a monitor onsite.</p> <p>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.</p>	<p>During construction, after discovery of cultural resources</p>	<p>Confirmation of qualified archeologist retention/on-going contact with SMBMI/ Monitoring and Treatment Plan, if applicable</p>	<p>City of Calimesa Public Works and City of Yucaipa Public Works</p>		

Impact/Threshold	Project Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Party	Verification		
					Initials	Date	Remarks
<p>evidence to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe</p>							
<p>Wildfire</p> <p>Substantially impair an adopted emergency response plan or emergency evacuation plan?</p>	<p>MM TRANS 1, see above</p>	<p>Prior to and during construction</p>	<p>Approved traffic management plan</p>	<p>City of Calimesa Public Works and City of Yucaipa Public Works</p>			

