

February 2018 | Mitigation Monitoring and Reporting Program  
State Clearinghouse No. 2016051024

# OAK GLEN CREEK SPECIFIC PLAN

## CASE NO. 16-048/SP

City of Yucaipa

*Prepared for:*

**City of Yucaipa**

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# 1. Introduction

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## 1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in the Oak Glen Creek Specific Plan Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2016051024. The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and City of Yucaipa Monitoring Requirements. Section 21081.6 states:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
  - (1) 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. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
  - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

## 1.2 PROJECT LOCATION

The City of Yucaipa is in the eastern portion of the San Bernardino Valley at the foot of the San Bernardino Mountains. Yucaipa is bordered by the City of Calimesa and unincorporated Riverside County to the south; the City of Redlands and unincorporated San Bernardino County to the west, which includes the community of Mentone; and the foothills of the San Bernardino Mountains to the north and east in unincorporated San Bernardino County. The San Bernardino National Forest runs along the City's northeast border. The Crafton Hills run along the City's northwest boundary, separating the City from Mentone and Redlands.

The Oak Glen Creek Specific Plan site is approximately 115.6 acres in the central-northern portion of Yucaipa. The entire site is approximately 4.7 miles northeast of Interstate 10 (I-10), which runs northwest–

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southeast along the southwest boundary of the City and provides regional access to the site. Local access is provided by Oak Glen Road, Bryant Street, and 2nd Street.

The project site is irregularly shaped and bounded by Oak Glen Road to the north, Bryant Street to the east, generally 2nd Street and existing single-family residences to the west, and a natural slope to the south that abuts single-family residences.

## 1.3 PROJECT DESCRIPTION

The proposed project is a Specific Plan. The reason for using a Specific Plan for the project site is to restrict the types of land uses permitted on the property, ensuring greater compatibility with surrounding residential uses. The Oak Glen Creek Specific Plan provides a road map for the City of Yucaipa and future users to follow, detailing the land uses, improvement requirements, design details, and development review criteria that development proposals must comply with prior to operating. Although a Specific Plan graphically displays or delineates some of the criteria that must be met, it does not contain the level of detail normally associated with a site plan or subdivision application. Subsequent development approvals would be necessary from the City’s Planning Commission and/or City Council prior to requesting building permits for construction.

### 1.3.1 Land Use Summary

The Oak Glen Creek Specific Plan is a long-term guide for development of the project site to accommodate three major components—the Residential District (47.7 acres), the Open Space District (57.6 acres), and the Innovation District (6.7 acres). A land use summary is provided in Table 1-1, *Oak Glen Creek Specific Plan Land Use Summary*.

**Table 1-1 Oak Glen Creek Specific Plan Land Use Summary**

Land Use	Allowed Uses	Net Acres	Potential Buildout (SF or Units)	Population and Employment
Residential District	Single family residential	47.7	200 units	570 residents
Innovation District	Government Facilities, Institutional, Office, and Medical uses	6.7	20,000 SF	42 employees
Open Space District	Drainage, Recreational and Open Space uses	57.6	NA	NA
Roadways	2nd Street and internal roadways	3.7	NA	NA
<b>TOTAL</b>		<b>115.6 acres</b>	<b>200 units and 20,000 SF</b>	<b>570 residents and 42 employees</b>

Notes: SF = square feet

The primary need for the project is flood attenuation and sediment reduction to alleviate existing downstream flooding along Wilson Creek thus providing protection for private properties, roadways, and other public infrastructure. The proposed realignment of Wilson Creek and channelization of Oak Glen Creek into a retention basin would increase stormwater retention capability, increase groundwater recharge, and improve downstream water quality. As a result of the basin improvements, portions of the site would be removed from the Federal Emergency Management Agency flood hazard zones, and the San Bernardino County Flood

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Control District (SBCFCD) would no longer need to maintain additional acreage for flood control purposes. The development of the Residential and Innovation districts north of Oak Glen Creek would require a change in ownership from the SBCFCD and City of Yucaipa to provide for development by private owners and/or other public agencies. The balance of the land in the Open Space District would continue to be owned and maintained by SBCFCD. The SBCFCD and the Yucaipa Valley Water District, which has a well site on the property, would continue to maintain ownership of portion of the property affected by Oak Glen Creek. However, the City of Yucaipa would also be responsible for the portions of Oak Glen Creek with recreation-related uses and facilities, principally at the eastern end of Oak Glen Creek.

Over all, buildout of the Specific Plan area would allow approximately 200 single-family residential units and 20,000 square feet of nonresidential development; flood control improvements (i.e., detention basin) and open space would be in the southern portion of the site.

### 1.4 ENVIRONMENTAL IMPACTS

#### 1.4.1 Impacts Considered Less Than Significant

The DEIR concluded that project impacts to the following resources would be less than significant.

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality (compliance with applicable air quality management district; exceedance of operational emissions threshold and exposure to sensitive receptors; and objectionable odors)
- Biological Resources (compliance with biological resources policies/ordinances and applicable habitat conservation plan/natural community conservation plan)
- Cultural Resources (impacts to paleontological resources and human remains)
- Geology and Soils
- Hazards and Hazardous Materials (hazardous emissions near existing/proposed schools, public airports or private airstrips; listing on hazardous materials sites; impact to adopted emergency response plan; and wildfire hazards)
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise (operational noise and excessive noise near airports or airstrips)

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- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic (conflict with CMP standards and multimodal policies/plans/programs; change in air traffic patterns; and hazards due to design features)
- Utilities and Service Systems

### 1.4.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

The DEIR concluded that the proposed project could result in one or more potentially significant impacts in the following topic areas:

- Air Quality (construction emissions threshold exceedance and exposure to sensitive receptors)
- Biological Resources (impacts to sensitive or special-status species, sensitive plant communities, jurisdictional resources and wildlife corridors)
- Cultural Resources (impacts to historic and archaeological resources)
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials (transport, use, and/or disposal of hazardous materials)
- Noise (construction noise and groundborne vibration)
- Transportation and Traffic (impacts to roadway levels of service)
- Tribal Cultural Resources

However, the DEIR also found that these impacts would be reduced, avoided, or substantially lessened through the implementation of mitigation measures listed in Table 2-1.

### 1.4.3 Unavoidable Significant Adverse Impacts

As identified in the DEIR, no significant and unavoidable impacts would occur due to the proposed project.

## 2. Mitigation Monitoring Requirements

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### 2.1 CATEGORIZED MITIGATION MEASURES/MATRIX

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 2-1. The matrix identifies the environmental impact, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures.

## 2. Mitigation Monitoring Requirements

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## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>5.2 AIR QUALITY</b>				
<p>2-1 During project-related construction activities for projects associated with the Residential District and Innovation District, construction contractor(s) shall use equipment that meets the certified emission standards of the United States Environmental Protection Agency (EPA), according to the following:</p> <ol style="list-style-type: none"> <li>1. Project-related off-road diesel powered construction engines shall achieve the EPA Tier<sup>4</sup> emissions standards for construction equipment greater than 50 horsepower unless it can be demonstrated, to the satisfaction of the City of Yucaipa City Engineer, that Tier 4 equipment is not readily available for a required piece of equipment. The emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 4 diesel emissions control strategy for a similarly sized engine, as defined by California Air Resources Board (CARB) regulations.</li> <li>2. If Tier 4 equipment is not readily available for the equipment, Tier 3 equipment shall be used for equipment over 50 horsepower. The emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine, as defined by CARB regulations.</li> </ol> <p>Prior to issuance of grading permits, the property owner/developer shall provide a note on plans indicating that during grading and construction, EPA Certified Tier 4 and/or Tier 3 engines shall be used. During construction, the construction contractor(s) shall maintain a list of all construction equipment onsite for verification by the City of Yucaipa Community Development Department. The construction equipment list shall state the makes, models, and numbers of the equipment; that the equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations; and that all nonessential idling of construction equipment is restricted to five minutes or less in compliance with CARB Rule 2449.</p>	<p>Property Owner/Developer; Construction Contractor</p>	<p>Prior to issuance of grading permits and during construction activities</p>	<p>City of Yucaipa Community Development Department</p>	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>2-2 During construction activities for projects in the Residential District and Innovation District, the construction contractor(s) shall use construction equipment fitted with Level 3 diesel particulate filters (DPF) for all construction equipment of 50 horsepower or more. Prior to issuance of any construction permits, the property owner/developer shall ensure that all construction plans submitted to the City of Yucaipa Community Development Department, or designee, clearly show the requirement for Level 3 DPF for construction equipment over 50 horsepower.</p>	<p>Property Owner/Developer; Construction Contractor</p>	<p>Prior to issuance of grading permits and during construction activities</p>	<p>City of Yucaipa Community Development Department</p>	
<p>2-3 Prior to issuance of grading, demolition, or building plans, whichever occurs first for projects associated with the Residential District and Innovation District, the property owner/developer shall submit a dust control plan that implements the following measures during ground-disturbing activities—as well as the existing requirements for fugitive dust control under South Coast Air Quality Management District Rule 403—to further reduce PM<sub>10</sub> and PM<sub>2.5</sub> emissions:</p> <ol style="list-style-type: none"> <li>1. Following all grading activities, the construction contractor shall reestablish ground cover on the construction site through seeding and watering.</li> <li>2. During all construction activities, the construction contractor shall sweep streets with Rule 1186-compliant, PM10-efficient vacuum units on a daily basis if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling.</li> <li>3. During all construction activities, the construction contractor shall maintain a minimum 24-inch freeboard on trucks hauling dirt, sand, soil, or other loose materials and shall tarp materials with a fabric cover or other cover that achieves the same amount of protection.</li> <li>4. During all construction activities, the construction contractor shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day.</li> <li>5. During all construction activities, the construction contractor shall limit onsite vehicle speeds on unpaved roads to no more than 15 miles per hour.</li> </ol>	<p>Property Owner/Developer</p>	<p>Prior to issuance of grading, demolition, or building permits (whichever occurs first)</p>	<p>City of Yucaipa Community Development Department</p>	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
The City of Yucaipa Community Development Department shall verify compliance during normal construction site inspections.				
<b>5.3 BIOLOGICAL RESOURCES</b>				
<p>3-1 <b>Burrowing Owl 30-Day Preconstruction Surveys.</b> A 30-day burrowing owl survey shall be conducted prior to the initiation of ground-disturbing activities to ensure protection for this species and compliance with the conservation goals outlined by the California Department of Fish and Wildlife (CDFW). The survey shall be conducted in compliance with CDFW 2012 guidelines. A report of the findings prepared by a qualified biologist shall be submitted to CDFW and the City of Yucaipa prior to initiation ground disturbing activities. If burrowing owls are not detected during the clearance survey, no additional mitigation is required.</p> <p>If burrowing owls are detected onsite during the preconstruction survey effort, a burrowing owl relocation and mitigation plan which includes project specific avoidance and minimization measures shall be developed based on the CDFW 2012 guidelines and approved by CDFW and USFWS prior to grading or construction. The plan shall include the following:</p> <ol style="list-style-type: none"> <li>1. Avoidance and minimization measures, including the following, at minimum:               <ol style="list-style-type: none"> <li>a. Non-Disturbance Buffer. Fencing or flagging shall be installed at a 250-foot radius from the occupied burrow to create a buffer area where no work activities may be conducted. The non-disturbance buffer and fence line may be reduced to 160 feet if all project-related activities that might disturb burrowing owls would be conducted during the nonbreeding season (i.e., conducted September 1 through January 31).</li> <li>b. Monitoring. If construction activities occur within 500 feet of the occupied burrow during the nesting season (February 1 to</li> </ol> </li> </ol>	Property Owner/Developer; Qualified Biologist	Prior to issuance of a grading permit and 14 days prior to ground-disturbing construction	City of Yucaipa Community Development Department	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>August 31), a qualified biologist shall monitor to determine whether these activities have the potential to adversely affect nesting efforts, and shall implement measures to minimize or avoid such disturbance.</p> <p>2. A relocation plan if construction activities occur during the non-breeding season (occupied burrows may not be disturbed during the nesting season (February 1 to August 31) to avoid take under the Migratory Bird Treaty Act and California Fish and Game Code). The plan would:</p> <ul style="list-style-type: none"> <li>a. Include detailed methods and guidance for passive relocation of burrowing owls.</li> <li>b. Describe monitoring and management of the replacement burrow site(s) and provide a reporting plan. The objective shall be to manage the sites for the benefit of burrowing owls, with the specific goals of maintaining the functionality of the burrows for a minimum of 2 years and minimizing weed cover.</li> <li>c. Ensure that a minimum of two suitable, unoccupied burrows are available off site for every burrowing owl or pair of burrowing owls to be passively relocated.</li> </ul> <p>3. Compensatory mitigation of habitat, within the onsite mitigation parcel or appropriate offsite mitigation site, if occupied burrows or territories occur within the permanent impact footprint. Ratios typically include a minimum of 19.5 acres per nesting burrow lost; however, habitat compensation ratios and location will be approved by CDFW and detailed in the burrowing owl relocation and mitigation plan.</p>				

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
3-2	<p><b>Sensitive Plant Species Mitigation Plan.</b> Prior to grading or construction, the City of Yucaipa shall develop a Sensitive Plant Species Mitigation Plan to mitigate for the loss of 8,080 (0.89 acre) of Parry's spineflower plants through on-site preservation of habitat supporting 3,173 Parry's spineflower individuals (0.31 acre) within the 18.3-acre onsite mitigation area, introduction of Parry's spineflower within the onsite mitigation parcel, off-site acquisition of habitat, enhancement, creation, and/or dedication of habitat, payment of fees into a mitigation bank, or other appropriate measures to address the functions and values being impacted.</p> <p>The plan will be prepared by a qualified restoration ecologist with experience developing mitigation plans for special-status plant species. The mitigation strategy will be developed in consultation with the Rancho Santa Ana Botanic Gardens or another qualified entity that has experience with the species. This mitigation plan will provide, at a minimum, the following information: (1) collection/salvage measures for seed and topsoil, to retain the seed bank and maximize success likelihood; (2) details regarding the transfer and/or temporary storage of seed and topsoil; (3) a suitable site location to function as the recipient site; (4) detailed site preparation and introduction techniques; (5) schedule for salvage and seeding; (6) a description of supplemental irrigation, if used; (7) success criteria; and (8) a detailed monitoring program, commensurate with the plan's goals. The onsite mitigation parcel/s shall be protected with a deed restriction or conservation easement recorded in favor of the Inland Empire Resource Conservation District, or other local conservation entity approved by the U.S. Army Corps of Engineers and California Department of Fish and Wildlife. The mitigation parcel/s shall be monitored and maintained by a qualified biologist for five years or until the goals of the mitigation plan have been met.</p>	City of Yucaipa Community Development Department; Qualified Restoration Biologist	Prior to issuance of a grading permits and monitored and maintained for 5 years or until plants have become fully established	City of Yucaipa Community Development Department	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>3-3 <b>Federal Migratory Bird Treaty Act.</b> Mitigation for potential direct/indirect impacts to common and sensitive passerine and raptor species will require compliance with the federal Migratory Bird Treaty Act (MBTA). Construction outside the nesting season (between September 1 and January 31) does not require pre-removal nesting bird surveys. If construction is proposed between February 1 and August 31, a qualified biologist must conduct a nesting bird survey(s) no more than 14 days prior to initiation of grading to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the project site. Note that any nest permanently vacated for the season would not warrant protection pursuant to the MBTA.</p> <p>The survey(s) will focus on identifying any raptors and/or passerines nests that are directly or indirectly affected by construction activities. If active nests are documented, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest shall be postponed until the young birds have fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction, depending on the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present or that the young have fledged shall be submitted to the CDFW and City of Yucaipa prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur.</p>	<p>Property Owner/Developer; Qualified Biologist</p>	<p>If construction occurs between September 1 and January 31, then not required.</p> <p>If construction occurs between February 1 and August 31, conduct survey no more than 14 days prior to grading activities.</p>	<p>City of Yucaipa Community Development Department</p>	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
3-4	<p><b>Noise Reduction.</b> If a) nesting birds are found onsite during pre-construction surveys and b) construction related impacts occur between January 31 and September 15, an acoustical consultant shall evaluate the construction equipment/phases and estimate noise levels anticipated during clearing, grubbing and grading activities. The acoustical consultant shall identify appropriate measures for reducing construction noise levels to below 60 dB(A) hourly Equivalent Continuous Noise Level or prevent any increases in the ambient noise levels at nesting location if existing noise levels are 60 dB(A) hourly or greater. Noise reduction measures may include operational adjustments, including:</p> <ol style="list-style-type: none"> <li>1. Stationary construction noise sources such as generators or pumps should be located at least 100 feet from sensitive land uses, as feasible.</li> <li>2. Construction staging areas should be located as far from noise sensitive land uses as feasible.</li> <li>3. During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices.</li> <li>4. Idling equipment shall be turned off when not in use.</li> <li>5. Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging.</li> </ol> <p>If noise reduction measures are required, bi-weekly monitoring of the nesting species shall be conducted by the qualified biologist to observe if the birds are being affected by construction activities. The acoustical consultant shall confirm through noise measurements that the noise reduction measures are effective at preventing noise levels in excess of 60 dB(A) hourly or an increase in ambient noise levels. Noise reduction measures are not required from September 16 through January 31.</p>	Property Owner/Developer; Acoustical Consultant	Prior to issuance of grading permits if nesting birds are found onsite during pre-construction surveys and construction occurs between January 31 and September 15	City of Yucaipa Community Development Department	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>3-5 <b>Sensitive Habitat Mitigation Plan.</b> Mitigation for impacts to alluvial fan sage scrub habitat within the project footprint shall be accounted for through the on-site preservation, restoration and/or enhancement and long-term management of an onsite mitigation parcel. Mitigation for impacts to alluvial sage scrub habitat will be implemented at a minimum 1:1 ratio or greater, as determined in consultation with the California Department of Fish and Wildlife (CDFW). The onsite mitigation parcel shall be protected with a conservation easement recorded in favor of the Inland Empire Resource Conservation District, or other local conservation entity approved by the U.S. Army Corps of Engineers and CDFW. Residual impacts that cannot be mitigated on-site shall be accomplished with off-site acquisition, preservation, rehabilitation, restoration, enhancement and long-term management of alluvial fan sage scrub habitat at the Oak Glen Creek Flood Corridor Area upstream (east) of the project site between Bryant Street and Pendleton Road.</p> <p>The City shall prepare a Sensitive Habitat Mitigation Plan for CDFW review and concurrence prior to grading or construction of the proposed project. The City shall be responsible for funding and implementing the Plan. The goal of the Sensitive Habitat Mitigation Plan will be to compensate for the impacts to 25.19 acres of alluvial fan sage scrub through off-site acquisition of habitat; preservation, enhancement, creation, and/or dedication of habitat at the onsite mitigation parcel; payment of fees into a mitigation bank; or other appropriate measures to address the functions and values being impacted.</p> <p>The content of the Sensitive Habitat Mitigation Plan will address the responsibilities and qualifications of the personnel to implement and supervise the plan; incorporate pertinent site selection criteria; provide for the site preparation and planting implementation program if appropriate; provide a schedule for implementation, maintenance and monitoring; detail maintenance plan and guidelines; detail the monitoring plan; and address long-term preservation.</p>	<p>City of Yucaipa Community Development Department in coordination with the jurisdictional agencies (Corps and/or CDFW)</p>	<p>Prior to issuance of grading permits</p>	<p>City of Yucaipa Community Development Department</p>	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
3-6	<p><b>Jurisdictional Resources.</b> Prior to issuance of a grading permit the applicant shall obtain a Section 404 permit authorization from the U.S. Army Corps of Engineers (Corps), a Section 401 Water Quality Certification from the Regional Water Quality Control Board, and a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW). Impacts to Corps and CDFW resources would require mitigation through on-site habitat creation, restoration, enhancement, and/or preservation and long-term management within the constructed basin at a minimum 1:1 ratio in order for impacts to achieve no net loss of jurisdictional resources, as determined by a qualified restoration specialist in consultation with the regulatory agencies. The lake/emergent wetland is anticipated to be between 3.5 and 4 acres in size. If there are any residual impacts to streambeds and riparian habitat that cannot be mitigated on-site, these impacts shall be mitigated off-site at a minimum ratio of 1.5:1 at the City's El Dorado Ranch Park, Oak Glen Creek Flood Corridor Area, or other off-site location approved by the CDFW (e.g., mitigation banks or in lieu fee programs).</p> <p>Specific mitigation and the specific location of mitigation lands shall be determined in consultation with the appropriate regulatory agencies in accordance with the requirements of the federal CWA, federal wetland policies, and California Fish and Game Code.</p>	Property Owner/Developer in coordination with the jurisdictional agencies (Corps and/or CDFW)	Prior to issuance of grading permits	City of Yucaipa Community Development Department	
3-7	<p><b>Habitat Mitigation Monitoring Plan.</b> The City shall prepare a Habitat Mitigation Monitoring Plan (HMMP) for regulatory agencies review and concurrence. Impacts to U.S. Army Corps of Engineers (Corps) and California Department of Fish and Wildlife (CDFW) resources shall be mitigated on-site or within the same watershed, if feasible. The goal of the HMMP will be to re-create the functions and values of the habitat being affected. These mitigation requirements will be outlined in the HMMP prepared for this project, with monitoring requirements and specific criteria to measure the success of the restoration. Guidelines for the HMMP shall include but not be limited to:</p>	City of Yucaipa Community Development Department in coordination with the jurisdictional agencies (Corps and/or CDFW)	Prior to issuance of grading permits	City of Yucaipa Community Development Department	

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**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ol style="list-style-type: none"> <li>1. The mitigation site(s) shall have been evaluated and selected on the basis of their suitability for use as riparian mitigation areas.</li> <li>2. The mitigation shall provide procedures to prepare soils in the mitigation area, provide detailed seeding/planting mixtures, provide seeding/planting methods, appropriate irrigation and other procedures that will be used for successful revegetation.</li> <li>3. Impacts to jurisdictional waters and wetlands shall be avoided to the extent feasible in the design phase of the project.</li> <li>4. Specific mitigation ratios and performance criteria shall be stated in the HMMP.</li> <li>5. Maintenance and monitoring requirements shall be established, including quarterly and annual monitoring reports to the Corps and CDFW.</li> </ol> <p>The content of the HMMP will address the responsibilities and qualifications of the personnel to implement and supervise the plan; incorporate pertinent site selection criteria; provide for the site preparation and planting implementation program; provide a schedule for implementation; maintenance and monitoring; detail maintenance plan and guidelines; detail the monitoring plan; and address long term preservation.</p>				
<p>3-8 <b>Urban Runoff.</b> To reduce the potential for the indirect impacts from urban runoff, the project applicant shall implement the best management practices required by the National Pollutant Discharge Elimination System, administered by the Regional Water Quality Control Board.</p>	Property Owner/Developer	During construction and operations of the proposed project	City of Yucaipa Community Development Department	
<p>3-9 <b>Storm Water Pollution Prevention Plan.</b> The City shall ensure that 1) the work limits are staked, fenced, and/or marked, with materials clearly visible to construction personnel to prevent encroachment upon sensitive vegetation communities; 2) no construction access, parking, or storage of equipment or materials will be permitted outside of these marked areas; 3) access roads and work areas shall be periodically</p>	Property Owner/Developer; Construction Contractor	Prior to issuance of grading permits and during construction activities	City of Yucaipa Community Development Department	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>sprayed with water to reduce the potential for dust accumulation on the leaves of adjacent sensitive vegetation communities not proposed for impacts; and 4) erosion and sediment control BMPs (i.e., silt fences, straw wattles, sand bags, etc.) should be implemented and installed during the proposed project to comply with all measures proposed in the Storm Water Pollution Prevention Plan.</p>				
<p>3-10 <b>Wildlife Corridor Design and Urban Wildlands Interface Guidelines.</b> The following mitigation measures will be incorporated into final project designs to ensure the maintenance of habitat connectivity and reduce indirect impacts to wildlife movement associated with the proposed project:</p> <ol style="list-style-type: none"> <li>1. Wildlife movement routes through the project within both Wilson and Oak Glen Creeks will be maintained.</li> <li>2. No features will be used that would impede movement through the site by amphibians, reptiles, and small/large mammals.</li> <li>3. Realigned drainage features will have earthen bottoms, to the greatest extent feasible.</li> <li>4. Storm water treatment systems will be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant material, or other elements that could degrade or harm downstream biological or aquatic resources.</li> <li>5. Night lighting associated with the proposed development that is adjacent to the realigned movement routes would be directed away to reduce potential indirect impacts to wildlife species.</li> <li>6. The landscape plans for the development shall avoid the use of invasive species for the portions of the development areas adjacent to the movement routes.</li> <li>7. Onsite culvert design will be consistent with existing structures at the confluence of Wilson Creek/Oak Glen Road and Oak Glen Creek/Bryant Street.</li> </ol>	<p>Property Owner/Developer; Construction Contractor</p>	<p>Prior to issuance of grading permits</p>	<p>City of Yucaipa Community Development Department</p>	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>3-11 <b>Lighting Plan.</b> Lighting plans shall ensure that (1) direct lighting is shielded from residential areas and other light sensitive receptors; (2) direct lighting is shielded to the specific location intended for illumination (e.g., roads, walkways, or recreation fields); (3) non-essential lighting and stray light spillover is minimized; (4) low intensity lamps are used except when high intensity illumination is required, such as for a recreational field; and (5) night lighting shall not be used during the course of construction unless determined to be absolutely necessary. If night lighting is necessary, the lights shall be shielded to minimize temporary lighting of neighboring properties and realigned wildlife movement routes through the project site.</p>	Property Owner/Developer	Prior to issuance of grading permits	City of Yucaipa Community Development Department	
<b>5.4 CULTURAL RESOURCES</b>				
<p>4-1 Prior to any earth-disturbing activities, including brushing, mowing, grading, addition of soils, and any other construction or preparation for construction activities and prior to the issuance of grading permits, the future developer of the project site shall provide letters to the City of Yucaipa from a qualified archaeologist and paleontologist who meet the Secretary of the Interior's Professional Qualifications Standards. The letters shall state that the developer has retained these individuals, and that the consultant(s) will be on call during all grading and other significant ground-disturbing activities.</p> <p>In the event archaeological or paleontological resources are discovered during ground-disturbing activities, including brush clearance, grading, and other such activities, a professional archeological or paleontological monitor shall have the authority to halt any activities adversely impacting potentially significant cultural resources within 50 feet of the discovery until they can be formally evaluated. Suspension of ground disturbances in the vicinity of the discoveries shall not be lifted until the archaeological or paleontological monitor has evaluated discoveries to assess whether they are classified as significant cultural resources, pursuant to the California Environmental Quality Act (CEQA). If archaeological or paleontological resources are recovered, they shall be offered to a repository with a</p>	Property Owner/Developer; Qualified Archaeologist and Paleontologist	Prior to construction and issuance of construction grading permits	City of Yucaipa Community Development Department	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>retrievable collection system and an educational and research interest in the materials, such as the San Bernardino County Museum or the University of California, Riverside, or any other local museum or repository willing to and capable of accepting and housing the resource. If no museum or repository willing to accept the resource is found, the resource shall be considered the property of the City and may be stored, disposed of, transferred, exchanged, or otherwise handled by the City at its discretion.</p> <p>If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or the archaeologist on call shall contact the applicable Native American tribal contact(s). If requested by the Native American tribe(s), the developer or archaeologist on call shall, in good faith, consult on the discovery and its disposition (e.g., avoidance, preservation, return of artifacts to tribe, etc.).</p>				
<b>5.6 GREENHOUSE GAS EMISSIONS</b>				
<p>6-1 Prior to the issuance of construction permits, applicants for development projects in the Residential District and Innovation District in the Oak Glen Specific Plan area shall incorporate design and construction measures into their respective projects that achieve a cumulative minimum of 100 points based on the appropriate screening tables (Tables 1 and 2) and methodology in Appendix C of the City of Yucaipa Climate Action Plan. Applicants shall provide documentation to the City of Yucaipa Community Development Department that verifies the measures to be implemented, to the City's satisfaction, and demonstrates achievement in meeting the minimum 100-point screening requirement, or the applicable screening requirement in effect at the time a project is initiated. The implementation measures proposed shall be noted on building plan check submittals to the City of Yucaipa.</p>	Property Owner/Developer	Prior to issuance of construction permits	City of Yucaipa Community Development Department	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>5.7 HAZARDS AND HAZARDOUS MATERIALS</b>					
7-1	If the City maintenance yard located at 11377 2nd Street is redeveloped for residential uses and stained soil or odors are detected onsite, the project applicant shall test the soils for total petroleum hydrocarbon prior to grading activities. If significant levels of petroleum hydrocarbons are detected, the soil shall be investigated and potentially removed in accordance with Department of Toxic Substance Control guidance.	Property Owner/Developer	Prior to issuance of grading permits	City of Yucaipa Community Development Department	
<b>5.10 NOISE</b>					
10-1	<p>Ongoing during grading, demolition, and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:</p> <ol style="list-style-type: none"> <li>1. Construction activity is limited to the daytime hours between 7 AM to 7 PM, as prescribed in the City's Municipal Code.</li> <li>2. Prior to the beginning of construction activities, a sign shall be posted at the entrance to the job site, clearly visible to the public, that contains a contact name and telephone number of the Contractor's authorized representative to respond in the event of a vibration or noise complaint. If the authorized representative receives a complaint, he/she shall investigate, take appropriate corrective action, and report the action to the City of Yucaipa's Community Development Department.</li> <li>3. All internal combustion engines on construction equipment and trucks are fitted with properly maintained mufflers.</li> <li>4. Stationary equipment such as generators, air compressors shall be located as far as feasible from nearby noise-sensitive uses.</li> <li>5. Stockpiling is located as far as feasible from nearby noise-sensitive receptors</li> <li>6. Construction traffic shall be limited to the haul routes established by the City of Yucaipa so as to minimize pass-bys or residential areas around the project site.</li> </ol>	Property Owner/Developer; Construction Contractor; City of Yucaipa Community Development Department Field Inspection Staff	During grading, demolition and construction activities	City of Yucaipa Community Development Department	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	<p>The conditions above shall be included on the permit applicant drawings with verification by the City of Yucaipa Community Development Department Plan Check staff. Additionally, all the above conditions shall be verified in the field by the Community Development Department field inspection staff at the project site.</p>				
10-2	<p>For demolition, construction, grading, foundation, and erection activities that would use vibration-producing equipment within 200 feet<sup>1</sup> of existing, off-site buildings, the following mitigation measure shall be implemented by the Construction Contractor in close coordination with City staff so that alternative construction techniques are undertaken.</p> <ol style="list-style-type: none"> <li>1. Implement Mitigation Measure 10-1.</li> <li>2. The use of vibratory rollers shall be minimized, to the extent feasible, within 50 feet<sup>2</sup> of residential properties.</li> <li>3. The use of large bulldozers<sup>3</sup>, excavators, graders, front-end loaders, and loaded trucks shall be minimized, to the extent feasible, within 30 feet<sup>4</sup> of residential properties.</li> <li>4. Where feasible, all stationary vibration-generating equipment shall be located as far away as possible from neighboring property lines.</li> <li>5. Grade surface irregularities shall be minimized on construction sites.</li> <li>6. Prior to the start of construction activities, City staff shall meet with the construction contractor to discuss feasible alternative methods to reduce vibration impacts for all construction activities that would occur within 200 feet<sup>5</sup> of existing, off-site buildings. During the pre-</li> </ol>	<p>Property Owner/Developer; Construction Contractor; City of Yucaipa Community Development Department Field Inspection Staff</p>	<p>During demolition and construction activities that use vibration-producing equipment within 200 feet of existing off-site buildings</p>	<p>City of Yucaipa Community Development Department</p>	

<sup>1</sup> Measured from the center of the project site.

<sup>2</sup> Measured from the nearest equipment placement to the nearest residential structure.

<sup>3</sup> 'Large' bulldozers are considered to be above an operating weight of 85,000 pounds (represented by a Caterpillar D8-class or larger); 'medium' bulldozers are considered to be in the operating weight range of 25,000 to 60,000 pounds (such as a Caterpillar D6- or D7-class machines); and 'small' bulldozers are considered to be in the operating weight range of 15,000 to 20,000 pounds (such as a Caterpillar D3-, D4-, or D5-class machines).

<sup>4</sup> Measured from the nearest equipment placement to the nearest residential structure.

<sup>5</sup> Measured from the center of the project site.

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>construction meeting, the construction contractor shall identify feasible construction methods not involving vibration-intensive equipment or activities.</p> <p>7. Prior to the start of construction activities, the constructor contractor shall document all feasible reduced-vibration alternative methods identified in the pre-construction meeting on the construction drawings submitted during plan check for building permits. The constructor contractor shall implement these reduced-vibration alternative methods during excavation, grading, and construction for work conducted within 200 feet<sup>6</sup> of off-site buildings.</p> <p>All the above conditions shall be included on the permit applicant drawings with verification by the Community Development Department Check staff. Additionally, all the above conditions shall be verified in the field by the Community Development Department field inspection staff at the project site.</p>				
<b>5.14 TRANSPORTATION AND CIRCULATION</b>				
<p>14-1 <b>2nd Street and Oak Glen Road.</b> Prior to the issuance of the first building permit for the residential portion of the specific plan, the project applicant shall install a traffic signal at the intersection of 2nd Street and Oak Glen Road. The Project would be responsible for its fair share contribution of 77 percent toward this improvement; therefore, the first project applicant shall be entitled to reimbursement for any portion of the improvement exceeding their fair share responsibility. This improvement shall be implemented prior to first home occupancy.</p>	Property Owner/Developer	Prior to issuance of the first building permit for the residential portion of the Specific Plan and prior to first home occupancy	City of Yucaipa Community Development Department/ Engineering Department	
<p>14-2 <b>Bryant Street and Date Street.</b> Prior to issuance of any building permit, the project applicant shall provide fair share funding for the installation of a traffic signal at Bryant Street and Date Street. Project</p>	Property Owner/Developer	Prior to issuance of any building permits	City of Yucaipa Community Development Department/ Engineering Department	

<sup>6</sup> Measured from the center of the project site.

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>would have an indirect impact on the intersection and would be responsible for their fair share contribution toward this improvement. The Project would be responsible for its fair share contribution of 11 percent toward this improvement. The timing of implementation of the improvements shall be determined by the City and be completed in the timeframe necessary to avoid identified significant cumulative impacts, which would occur between 2018 and 2040.</p>				
<b>5.15 TRIBAL CULTURAL RESOURCES</b>				
<p>15-1 Prior to grading permit issuance, if there are any changes to project site design and/or proposed grades, the future developer shall contact interested tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, developer and interested tribes to discuss the proposed changes and to review any new impacts and/or potential avoidance/preservation of the cultural resources on the project. The developer shall make all attempts to avoid and/or preserve in place as many as possible of the cultural resources located on the project site. In specific circumstances where existing and/or new resources are determined to be unavoidable and/or unable to be preserved in place despite all feasible alternatives, the developer shall make every effort to relocate the resource to a nearby open space or designated location on the property that is not subject to future development, erosion or flooding.</p>	Property Owner/Developer	Prior to issuance of any grading permits	City of Yucaipa Community Development Department	
<p>15-2 <b>Archaeological Monitoring.</b> At least 30-days prior to application for a grading permit and before any brush clearance, grading, excavation and/or ground disturbing activities on the site take place, the future developer shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources.</p> <p>1. The project archaeologist, in consultation with interested tribes, the developer and the City of Yucaipa, shall develop an Archaeological Monitoring Plan (AMP) to address the details, timing and responsibility of all archaeological and cultural activities that will</p>	Property Owner/Developer; Qualified Archaeological Monitor; Designated Native American Tribal Monitor	At least 30-days prior to applying for a grading permit and before any ground disturbing activities occur	City of Yucaipa Community Development Department	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>occur on the project site. Details in the AMP shall include:</p> <ul style="list-style-type: none"> <li>a. Project-related ground disturbance (including, but not limited to, brush clearing, grading, trenching, etc.) and development scheduling;</li> <li>b. The development of a rotating or simultaneous schedule in coordination with the developer and the project archeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists (if the tribes cannot come to an agreement on the rotating or simultaneous schedule of tribal monitoring, the Native American Heritage Commission shall designate the schedule for the onsite Native American Tribal Monitor for the proposed project);</li> <li>c. The protocols and stipulations that the developer, City, Tribes and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.</li> </ul> <p>Pursuant to the AMP, a tribal monitor from the consulting tribe (e.g., Morongo Band of Mission Indians, San Manuel Band of Mission Indians, and/or Soboba Band of Luiseño Indians) shall be present during the initial grading activities. If tribal resources are found during grubbing activities, the tribal monitoring shall be present during site grading activities.</p>				
<p>15-3 <b>Treatment and Disposition of Cultural Resources.</b> In the event that Native American cultural resources are inadvertently discovered during the course of any ground disturbing activities, including but not limited to brush clearance, grading, trenching, etc., for the proposed project, the following procedures will be carried out for treatment and</p>	<p>Property Owner/Developer; Qualified Archaeological Monitor and Native American Tribal Monitor</p>	<p>During grading activities and at the completion of all ground disturbing activities</p>	<p>City of Yucaipa Community Development Department</p>	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>disposition of the discoveries:</p> <ol style="list-style-type: none"> <li>1. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and</li> <li>2. Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Yucaipa with evidence of same:               <ol style="list-style-type: none"> <li>a. Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing, basic analysis, and other analyses as recommended by the project archeologist and approved by the consulting tribes have been completed, all documents should be at a level of standard professional practice to allow the writing of a report of professional quality;</li> <li>b. A curation agreement with an appropriate qualified repository within San Bernardino County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Bernardino County, to be accompanied by payment of the fees necessary for permanent curation;</li> <li>c. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural</li> </ol> </li> </ol>				

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>materials, they shall be curated at the San Bernardino County Museum by default; and</p> <p>d. At the completion of grading, excavation and ground disturbing activities on the site, a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the project archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City, County Museum, and consulting tribes.</p>				
<p>15-4 <b>Discovery of Human Remains.</b> In the event that human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the San Bernardino County Coroner and the City of Yucaipa Community Development Department immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the Native American Heritage Commission (NAHC) (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s)(MLD). The MLD shall complete his or her inspection and make recommendations or</p>	<p>Property Owner/Developer; Construction Contractor; Qualified Archaeologist; Designated Native American Monitor</p>	<p>In the event human remains are discovered during ground-disturbing activities</p>	<p>City of Yucaipa Community Development Department</p>	

## 2. Mitigation Monitoring Requirements

**Table 2-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains shall be overseen by the MLD to determine the most appropriate means of treating the human remains and any associated grave artifacts.</p> <p>The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings will be filed with the San Bernardino County Museum.</p> <p>According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052) determined in consultation between the project proponent and the MLD. In the event that the project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply and the median and decision process will occur with the NAHC (see Public Resources Code Section 5097.98(e) and 5097.94(k)).</p>				
<p>15-5 During construction activities, the project applicant shall allow archaeological monitors of Native American tribes to access the project site on a volunteer basis to monitor grading and excavation activities.</p>	<p>Property Owner/Developer; Native American Tribal Monitor</p>	<p>During grading activities and excavation activities</p>	<p>City of Yucaipa Community Development Department</p>	

## 2. Mitigation Monitoring Requirements

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## 3. Report Preparation

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### 3. Report Preparation

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