

**MITIGATION MONITORING CHECKLIST**

Project File No.: TTM 20065

Applicant: Daniel J. Buoye

Initial Study Prepared by: Lilburn Corporation

Date: April 2019

Mitigation Measures No. / Implementing Action	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Date	Completion Initial	
<b>Section 4-Biological Resources</b>						
<p><b>BIO-1: Pre-construction surveys for burrowing owl shall be conducted prior to the start of ground disturbing activities (grading, grubbing, and construction) at the Project Site. The surveys shall follow the methods described in the CDFW's <i>Staff Report on Burrowing Owl Mitigation</i> (CDFW 2012). Two surveys shall be conducted, with the first survey being conducted between 30 and 14 days before initial ground disturbance, and the second survey being conducted no more than 24 hours prior to initial ground disturbance. If burrowing owls and/or suitable burrowing owl burrows with sign (e.g., whitewash, pellets, feathers, prey remains) are identified on the Project Site during the survey and impacts to those features are unavoidable, consultation with the CDFW shall be conducted and the methods described in the CDFW's <i>Staff Report on Burrowing Owl Mitigation</i> (CDFW 2012) for avoidance and/or passive relocation shall be followed.</b></p>	<p>On-site inspections, submittal of survey report.</p>	<p>No more than three (3) days prior to construction, ground disturbance or vegetation removal during the nesting bird season (February through August)</p>	<p>City of Redlands, City Planner or designee, Building Official or designee</p>			
<p><b>BIO-2: Prior to any construction or grading activities the Project Proponent shall obtain a Section 404 permit from the US Army Corp of Engineers.</b></p>	<p>Receipt of 404 Permit</p>	<p>Prior to any construction or grading</p>	<p>City of Redlands, City Planner or designee, Building Official or designee</p>			

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<b>BIO-3: The Project Proponent shall submit a formal application and fees to the Regional Water Quality Control Board – Santa Ana region prior to construction activities.</b>	Receipt of application fees	Prior to any construction or grading	City of Redlands, City Planner or designee, Building Official or designee			
<b>BIO-4: Prior to any construction or grading related activities the Project Proponent shall obtain a permit pursuant to Section 1600 of the California Fish and Game Code.</b>	Receipt of 1600 permit	Prior to any construction or grading	City of Redlands, City Planner or designee, Building Official or designee			
<b>BIO-5: Prior to any alterations to the ephemeral drainage, the Project Proponent shall obtain a 1602 Streambed Alteration Agreement.</b>	Receipt of 1602 permit	Prior to any construction or grading	City of Redlands, City Planner or designee, Building Official or designee			
<b>BIO-6: In the event construction of the Project occurs during the nesting season (February 15<sup>th</sup> to August 31<sup>th</sup>), the Project Proponent shall have a pre-construction nesting bird survey within the Project boundary and buffer area by a qualified biologist. All active bird nests shall be flagged, and an appropriate avoidance buffer shall be established. This buffer shall not be disturbed by construction activities until the nest becomes either: inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, and the young are no longer expected to be impacted by the project.</b>	On-site inspections	No more than three (3) days prior to construction, ground disturbance or vegetation removal during the nesting bird season (February through August)	City of Redlands, City Planner or designee, Building Official or designee			

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<b>BIO-7: The Project Proponent shall ensure that no work is initiated within 72 hours of the nesting bird survey.</b>	On-site inspections	Prior to Construction	City of Redlands, City Planner or designee, Building Official or designee			
<b>BIO-8: If, during the nesting season, 10 days have passed since an area was surveyed, and construction work has not been continuous in that area, then the Project Proponent shall have a qualified biologist perform a new nesting bird survey prior to the continance of work within the area.</b>	On-site inspections	Throughout construction	City of Redlands, City Planner or designee, Building Official or designee			
<b>BIO-9: In the event active nests are observed adjacent to the Project Site and an avoidance buffer has been established, a biological monitor shall be present to monitor nesting behaviors in order to assess if the nest buffer is appropriate. If the birds show any signs of stress, the buffer shall be increased; and work shall be conducted elsewhere until fledging occurs. If necessary, the size of the buffer area shall be reduced if the biologist determines that the construction activity would not have an adverse effect on the particular species in question.</b>	On-site inspections	Throughout construction	City of Redlands, City Planner or designee, Building Official or designee			

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<b>Section 5-Cultural Resources</b>						
<b>CR-1: If any prehistoric or historic resources over 50 years of age are encountered during land modification, then activities in the immediate area of the finds (i.e., within 50 feet) shall be halted so that a qualified archaeologist can assess the find, determine its significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality.</b>	On-site inspections. Separate submittals if required	Throughout construction	City of Redlands, City Planner or designee			
<b>CR-2: In the event cultural resources are discovered on-site, the Project Proponent shall allow for monitoring by a qualified archaeologist who meets the Secretary of the Interior's guidelines and is listed in the Register of Professional Archaeologists. Monitoring shall be required for all soil disturbances including grading (cut and fill). Should movement of soils for grading for re-compaction activities show no evidence of an archaeological site or artifacts, and with the agreement of the City of Redlands Planning Division and the on-site archaeological monitor, further monitoring at this location shall no longer be required. In the event that a prehistoric site or historic remains older than 50 years is identified during monitoring, the Project Archaeologist monitor shall be empowered to stop all construction activities in the vicinity of the find (e.g., 50 feet radius).</b>	On-site inspections. Separate submittals if required	Throughout construction	City of Redlands, City Planner or designee			

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<p>CR-3: If the discovered archaeological/cultural materials are prehistoric in nature, the Project Archaeologist shall notify the City of Redlands Planning Division and assess the discovered material(s) and prepare a survey, study, or report evaluating the impact. The Archaeologist's survey, study, or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource. The Developer shall comply with the recommendations of the evaluating Archaeologist, as contained in the survey, study, or report. Project development activities may resume once copies of the archaeological survey, study, or report are submitted to the City of Redlands Planning Division and to the South Central Coastal Information Center Department of Anthropology, C.S.U. Fullerton.</p>	<p>On-site inspections, Separate submittals if required</p>	<p>Throughout construction</p>	<p>City of Redlands, City Planner or designee</p>		
<p>CR-4: In the event paleontological resources are uncovered during grading, the Project Proponent shall notify the City Planning Division of the discovery and contact a qualified vertebrate paleontologist to perform a field survey to determine and record any non-renewable paleontological resources found on-site. The paleontologist shall determine the significance and make recommendations to the City of Redlands for appropriate mitigation measures in compliance with the guidelines of the California Environmental Quality Act.</p>	<p>On-site inspections, Separate submittals if required</p>	<p>Throughout construction</p>	<p>City of Redlands, City Planner or designee</p>		

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CR-5: If human remains of any kind are found during earthwork activities, all activities shall cease immediately, the Redlands Police Department and the San Bernardino County Coroner and a qualified archaeologist shall be notified. The Coroner shall examine the remains and determine the next appropriate action based on the findings. If the Coroner determines the remains to be of Native American origin, they shall notify the Native American Heritage Commission. The Native American Heritage Commission shall then identify the most likely descendants to be consulted regarding treatment and/or reburial of the remains. If a most likely descendant cannot be identified, or the most likely descendant fails to make a recommendation regarding the treatment of the remains within 48 hours after gaining access to them, the contractor shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.	On-site inspections, Separate submittals if required.	Throughout construction	City of Redlands, City Planner or designee			

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<b>Section 6-Geology and Soils</b>						
GEO-1: Specific recommendations for site grading, foundations, slab support, pavement design, slope maintenance, etc. as provided in the November 17, 2017, Report of Geotechnical/ Geologic Study and Percolation Testing prepared for the Project by Hilltop Geotechnical, Inc. shall be reviewed by the City Engineer for approval.	Plan check, on-site inspections	Throughout construction	Building Official or designee, City Planner or designee			

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<b>Section 16-Transportation/Traffic</b>						
<b>TR-1: The Project Proponent shall ensure that the restricted use area shall be kept clear of obstructions including but not limited to trees, light poles, monument signing, etc. including landscaping over 18 inches in height.</b>	On-site inspections	Throughout construction	City of Redlands, City Planner or designee			
<b>TR-2: The Project Proponent shall ensure that curbs along the restricted use area are painted red to not allow on-street parking.</b>	On-site inspections	Prior to Construction	City of Redlands, City Planner or designee			

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<b>Section 17-Tribal Cultural Resources</b>						
<b>TCR-1: Native American monitor from the consulting tribe(s), alongside an archaeological monitor with at least 3 years of regional experience, shall be present during all ground disturbing proceedings, on a rotating basis, including but not limited to, all site preparation/construction/demolition based activities, as well as archaeological surveys, testing and data recovery. Proof of monitor obtainment, such as contracting agreements and monitor hires, shall be provided to the City prior to the issuance of any ground disturbance-related permits.</b>	Coordination with tribal representatives	Throughout construction	City of Redlands, City Planner or designee			

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<p><b>TCR-2: Prior to the issuance of any ground disturbance-related permits, the City shall contact interested tribes to facilitate and coordinate communications with the contractor to develop a mutually-acceptable Monitoring and Treatment Plan (MTP). The MTP shall be reflective of the Mitigation Measures/Conditions of Approval adopted for the project, and include additional details regarding the monitoring process and schedule. The MTP shall be enforced by the City throughout the life of the project.</b></p>	<p>Consultation with tribal representatives, Treatment Plan submittal to City</p>	<p>Prior to Construction</p>	<p>City of Redlands, City Planner or designee</p>			
<p><b>TCR-3: If a cultural resource is discovered within the project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier shall be constructed by the developer. Work on other portions of the project outside of the buffer area may continue during this assessment period, provided an archaeological and Native American monitoring team are present during the effort. Representatives from consulting tribes, the contractor, and the City Development Services Department shall confer regarding appropriate treatment of the discovered resource(s). A research design shall be developed and will include a plan to evaluate the resource for significance under CEQA and NRHP criteria. Additionally, the consulting Tribes will provide input regarding the significance of the find and its potential as a Tribal Cultural Resource (TCR). Should all Parties agree that a resource is not significant, avoidance or mitigation is not warranted, and therefore the project may resume. However, should any consulting Tribe wish to obtain this material for any reason, they may do so with the approval of all Parties.</b></p>	<p>Submittal of Reports to City with documentation of other transmittals</p>	<p>Throughout construction</p>	<p>City of Redlands, City Planner or designee</p>			



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<p>TCR-4: Should the resource be deemed archaeologically significant and/or constitute a TCR, then the applicant and City shall make a good faith effort to avoid the resource (i.e. project redesign, capping, etc.). Should avoidance of the resource not be feasible, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall be updated to include a Data Recovery Plan that contains a comprehensive discussion of sampling strategies, resource processing, analysis, temporary curation, reporting protocols/obligations, and final disposition of the resource(s). The proposed efforts outlined within the Data Recovery Plan shall be reviewed and approved by all parties prior to implementation. Any analysis performed on the resources shall be completed within one hundred and twenty (120) days from the initial recovery of the items from the field.</p>	<p>Consultation with tribal representatives concerning findings affiliated with Native peoples, Completion of artifact analyses if required and report submitted to City and to tribes</p>	<p>Throughout construction</p>	<p>City of Redlands, City Planner or designee</p>			

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<p>TCR-5: Significant resources collected from the project area shall be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by the consulting tribes, the landowner, and the City, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the project have been completed, all monitoring has ceased, and all required recordation of resources have been completed. All reburials are subject to a reburial agreement that shall be developed between the landowner and the consulting tribes outlining the determined reburial process/location and shall include measures and provisions to protect the reburial area from any future impacts (vis a vis project plans, conservation/preservation easements, etc.).</p>	<p>Consultation with tribal representatives concerning findings affiliated with Native peoples</p>	<p>Throughout construction</p>	<p>City of Redlands, City Planner or designee</p>			

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<p><b>TCR-6: Should avoidance and on-site reburial be deemed infeasible with regards to final disposition of the resource(s), or should the consulting tribes be unable to come to a consensus as to the appropriate treatment of the resource(s) within one hundred and twenty (120) days from the initial recovery of the items, the materials shall be curated. The landowner shall relinquish all ownership and rights to this material and confer with the consulting tribes to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriate qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees.</b></p>	<p>Completion of artifact analyses if required and report submitted to City and to tribes</p>	<p>Throughout construction</p>	<p>City of Redlands, City Planner or designee</p>			

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<p>TCR-7: Within sixty (60) days following the completion of the project all ground disturbing activities including but not limited to all site preparation/construction/demolition, or within thirty (30) days following the final disposition of resource(s), a Monitoring Report shall be completed which outlines any discoveries made during project implementation, as well as the protocol that was followed with regards to assessment, treatment, and disposition of the discovery. The draft of this document, as well as the drafts of any other documents discussing significance, treatment, and disposition of findings, as well as any site records, shall be prepared by the archaeologist and submitted to the City of Redlands Development Services Department and the consulting tribes for their review and approval. All final reports and site records are to be submitted to the local CHRIS Information Center, the City of Redlands, and the consulting tribes.</p>	<p>Completion of Monitoring Report and any other documents discussing found resources on-site, Completion of artifact analyses if required and report submitted to City and to tribes</p>	<p>No more than 60 days following the completion of project-related ground disturbance and no more than 30 days following the final disposition of resources after the completion of construction</p>	<p>Project Manager, Field Engineering Inspector</p>			

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<p>TCR-8: In the event that any human remains are discovered during implementation of the Project, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier shall be constructed by the developer. The on-site lead/foreman shall then immediately who shall notify the consulting tribes, the applicant/developer, and the City. The City and/or the applicant/developer shall then immediately contact the County Coroner regarding the discovery. If the Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity. The MLD, City, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code § 5097.98.</p>	<p>Completion of artifact analyses if required and report submitted to City and to tribes, On-site inspections</p>	<p>Throughout construction</p>	<p>City of Redlands, City Planner or designee</p>			

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<p>TCR-9: Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties. It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).</p>	<p>Completion of artifact analyses if required and report submitted to City and to tribes</p>	<p>Throughout construction</p>	<p>City of Redlands, City Planner or designee</p>		