

MITIGATION MONITORING AND REPORTING PROGRAM

As the Lead Agency under the CEQA, the City of San Bernardino (“City”) is required to 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 as defined in the 4200 University Parkway project Initial Study/Mitigated Negative Declaration. The Lead Agency’s responsibility originates in Public Resources Code Section 21081.6(a) (Findings), and in the State CEQA Guidelines, Sections 15091(d) (Findings) and 15097 (Mitigation Monitoring or Reporting).

The Mitigation Monitoring and Reporting Program (MMRP) is designed to monitor implementation of the mitigation measures identified for the Project. The MMRP is subject to review and approval by the Lead Agency as part of the adoption of the Mitigated Negative Declaration and approval of project conditions. The required mitigation measures are listed and categorized by impact area, as identified in the Initial Study.

The first column of the MMRP table identifies the Mitigation Measures. The second column identifies the monitoring schedule or timing, while the third column names the party responsible for monitoring the required action. The fourth column “Monitoring Procedure” outlines the steps for monitoring the action identified in the mitigation measure. The fifth and sixth columns deal with reporting and provide spaces for comments and dates and initials. These last columns will be used by the City to ensure that individual mitigation measures have been monitored.

The Project Applicant shall be responsible for implementing all mitigation measures unless otherwise noted. The MMRP performance shall be monitoring and reported annually to determine the effectiveness of the measures implemented in any given year and reevaluate the mitigation needs for the upcoming year.

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
Biological Resources					
<p>BIO-1: Nesting Bird Survey. Project construction and grading plans shall state that ground-disturbing and vegetation-clearing activities should occur outside of the nesting bird season (generally between February 1 and September 15). If ground-disturbing and vegetation-clearing activities cannot be avoided during the nesting bird seasons, the construction grading plans and City permitting for the Project shall state that nesting bird surveys will be conducted by a qualified biologist(s) within three days of vegetation removal. If active nests are observed, a qualified biologist will determine appropriate minimum disturbance buffers and other adaptive mitigation techniques (e.g., biological monitoring of active nests during construction-related activities, staggered schedules, etc.) to ensure that impacts to nesting birds are avoided until the nest is no longer active. At a minimum, construction activities will stay outside of a 300-foot buffer around the active nests. For raptor species, the buffer is to be expanded to 500 feet. The approved buffer zone shall be marked in the field with construction fencing, with which no vegetation clearing or ground disturbance shall commence until the qualified biologist and City of San Bernardino Planning Division verify that the nests are no longer occupied, and the juvenile birds can survive independently from the nests. Once the qualified biologist(s) have determined that the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities may occur.</p>	Prior to construction activities	San Bernardino Planning Division	Submittal of pre-activity field survey results report		
Cultural Resources					

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
<p>CUL-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 Yuhaaviatam of San Manuel National Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era 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.</p>	In the event of discovery of resources during ground-disturbing activities	San Bernardino Planning Division	Review report documenting findings and recommendation for treatment of cultural resources discovered		
<p>CUL-2: If significant pre-contact and/or historic-era 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 YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.</p>	In the event of discovery of resources during ground-disturbing activities	San Bernardino Planning Division	Review the Monitoring and Treatment Plan and verify compliance		
<p>CUL-3: If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.</p>	In the event of discovery of resources during ground-disturbing activities	San Bernardino Planning Division	Stop work and contact the County Coroner		
Geology and Soils					
<p>GEO-1: Inadvertent Paleontological Discoveries. Prior to issuance of a grading permit, the City of San Bernardino Building Department shall verify that all Project grading and construction plans and specifications state that in the event that potential</p>	Prior to construction activities	San Bernardino Building Department	Grading/Construction plans must specify procedure for inadvertent paleo resource discovery prior to grading permits		

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
paleontological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified paleontologist (i.e., a practicing paleontologist that is recognized in the paleontological community and is proficient in vertebrate paleontology) from the City or County List of Qualified Paleontologists has evaluated the find in accordance with federal and state regulations. Construction personnel shall not collect or move any paleontological materials and associated materials. If any fossil remains are discovered, the paleontologist shall make a recommendation if monitoring shall be required for the continuance of earth moving activities.					
GEO-2: Paleontological Resource Impact Mitigation Program. If paleontological resources of any sort are discovered during grading and earthmoving activities, a paleontologist must be retained to develop a Paleontological Resource Impact Mitigation Program (PRIMP) consistent with the provisions of CEQA and those of the guidelines of the Society of Vertebrate Paleontology.	Prior to construction activities	San Bernardino Building Department	A paleontologist must be retained to develop a Paleontological Resource Impact Mitigation Program (PRIMP). Upon inadvertent discovery of paleontological resources during construction		
Tribal Cultural Resources					
TCR-1: The Yuhaaviatam of San Manuel Nation Cultural Resource Department (YSMN) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era 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 find 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 YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project,	In the event of discovery of tribal cultural resources during ground-disturbing activities	San Bernardino Planning Division	Contact the Yuhaaviatam of San Manuel Nation and create cultural resources monitoring and treatment plan		

Mitigation Measure	Mitigation Monitoring			Reporting	
	Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure	Comments	Date/Initials
should YSMN elect to place a monitor on-site.					
TCR-2: 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 YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.	In the event of discovery of tribal cultural resources during ground-disturbing activities	San Bernardino Planning Division	Verify documents have been provided to the Yuhaaviatam of San Manual Nation		