

SYCAMORE ACADEMY (14-0074)

MITIGATION MONITORING AND REPORTING PROGRAM

1. INTRODUCTION

This document is the Mitigation Monitoring and Reporting Program (MMRP) for Sycamore Academy (14-0074) (SCH #2014121006). This MMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and 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.” An MMRP is required for the proposed project because the Initial Study/Mitigated Negative Declaration (IS/MND) has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

2. MITIGATION MONITORING AND REPORTING PROGRAM

As the lead agency, the City of Wildomar will be responsible for monitoring compliance with all mitigation measures. Different City departments are responsible for various aspects of the project. The MMRP identifies the department with the responsibility for ensuring the measure is completed; however, it is expected that one or more departments will coordinate efforts to ensure compliance.

The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below.

- **Mitigation Measure:** The mitigation measures are taken from the Initial Study/Mitigated Negative Declaration, in the same order they appear in the IS/MND.
- **Timing:** Identifies at which stage of the project the mitigation must be completed.
- **Monitoring Responsibility:** Identifies the department within the City with responsibility for mitigation monitoring.
- **Verification (Date and Initials):** Provides a contact who reviewed the mitigation measure and the date the measure was determined complete.

As the project is of statewide, regional, or area-wide importance, any transportation information generated by this monitoring or reporting program will be submitted to the California Department of Transportation (Caltrans).

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Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
Biological Resources			
<p>BIO-1 The project applicant shall conduct construction and clearing activities outside of the avian nesting season (January 15–August 31) if feasible. If clearing and/or construction activities occur during the nesting season, preconstruction surveys for nesting raptors, migratory birds, and special-status resident birds (e.g., loggerhead shrike) shall be conducted by a qualified biologist, up to 3 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.</p> <p>If an active nest is located within 100 feet (250 feet for raptors) of construction activities, the project applicant shall establish an exclusion zone (no ingress of personnel or equipment at a minimum radius of 100 feet or 250 feet, as appropriate, around the nest). Alternative exclusion zones may be established through consultation with the CDFW and the USFWS, as necessary. The exclusion zones shall remain in force until all young have fledged.</p> <p>Reference to this requirement and to the Migratory Bird Treaty Act shall be included in the construction specifications.</p> <p>If construction activities or tree removal are proposed to occur during the non-breeding season (September 1–January 14), a survey is not required, no further studies are necessary, and no mitigation is required.</p>	<p>The project applicant shall incorporate requirements into all rough and/or precise grading plan documents. The project applicant’s construction inspector shall monitor to ensure that measures are implemented during construction.</p>	<p>City of Wildomar Planning and Public Works Departments</p>	
<p>BIO-2 Per MSHCP Species-Specific Objective 6, preconstruction presence/absence surveys for burrowing owl within the survey area, where suitable habitat is present, will be conducted within 30 days prior to disturbance. Take of active nests will be avoided.</p> <p>The breeding period for burrowing owls is February 1 through August 31, with the peak being April 15 to July 15, the recommended survey window. Winter surveys may be conducted between September 1 and January 31. If construction is delayed or suspended for more than 30 days after the survey,</p>	<p>Thirty days prior to any vegetation removal or ground-disturbing activities</p>	<p>City of Wildomar Planning and Public Works Departments</p>	

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<p>the area shall be resurveyed.</p> <p>Surveys shall be completed for occupied burrowing owl burrows within all construction areas and within 150 meters (500 feet) of the project work areas (where possible and appropriate based on habitat). All occupied burrows will be mapped on an aerial photo.</p>			
<p>BIO-3 If burrowing owls are found to be present on-site, the project applicant shall develop a conservation strategy in cooperation with the CDFW, the USFWS, and the Regional Conservation Authority in accordance with the CDFW's <i>Staff Report on Burrowing Owl Mitigation</i> (2012).</p>	<p>Prior to any vegetation removal or ground-disturbing activities</p>	<p>City of Wildomar Planning and Public Works Departments</p>	
<p>Cultural Resources</p>			
<p>CUL-1 If during grading or construction activities, cultural resources are discovered on the project site, work shall be halted immediately within 50 feet of the discovery and the resources shall be evaluated by a qualified archeologist and the Pechanga Tribe (Tribe). Any unanticipated archaeological resources that are discovered shall be evaluated in the final report prepared by the qualified archeologist. The report shall include a list of the resources discovered, documentation of each site/locality, and interpretation of the resources identified, and the method of preservation and/or recovery for identified resources. If the qualified archeologist and the Tribe determine the resources to be historic or unique, avoidance and/or mitigation would be required pursuant to and consistent with CEQA Guidelines Section 15064.5(c) and Public Resources Code Section 21083.2 and the Archaeological Resources Treatment and Monitoring Agreement required by mitigation measure CUL-2. This mitigation measure shall be incorporated into all construction contract documentation.</p>	<p>As a condition of project approval, and implemented during ground-disturbing construction activities</p>	<p>City of Wildomar Building and Planning Departments</p>	
<p>CUL-2 At least 30 days prior to seeking a grading permit, the project applicants shall contact the Pechanga Tribe to notify the Tribe of the proposed grading and shall coordinate with the Tribe to develop an Archaeological Resources Treatment and Monitoring Agreement. The agreement shall include, but not be limited to, outlining provisions and requirements for addressing the treatment of cultural resources; project grading and development</p>	<p>Prior to the issuance of a grading permit</p>	<p>City of Wildomar Engineering and Planning Departments</p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, burial goods and human remains discovered on the site; and establishing on-site monitoring provisions and/or requirements for professional Tribal monitors during all ground-disturbing activities. A copy of this signed agreement shall be provided to the Planning Director and Building Official prior to the issuance of the first grading permit.			
CUL-3 If human remains are encountered, California Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then have 48 hours to make recommendations and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. This mitigation measure shall be incorporated into all construction contract documentation.	As a condition of project approval, and implemented during ground-disturbing construction activities	City of Wildomar Engineering and Planning Departments	
CUL-4 All cultural resources, with the exception of sacred items, burial goods, and human remains, which will be addressed in the Cultural Resources Treatment and Monitoring Agreement required by mitigation measure CUL-2 , that are collected during the grading monitoring program and from any previous archeological studies or excavations on the project site shall be curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to the Pechanga Tribe's curation facility, which meets the standards set forth in 36 CFR Part 79 for federal repositories.	As a condition of project approval, and implemented during ground-disturbing construction activities	City of Wildomar Engineering and Planning Departments	
CUL-5 All sacred sites, should they be encountered within the project site, shall be avoided and preserved as the preferred mitigation, if feasible as determined by a qualified professional in	As a condition of project approval, and implemented during ground-disturbing construction activities	City of Wildomar Engineering and Planning	

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consultation with the Pechanga Tribe. To the extent that a sacred site cannot be feasibly preserved in place or left in an undisturbed state, mitigation measures shall be required pursuant to and consistent with Public Resources Code Section 21083.2 and CEQA Guidelines Section 15064.5.		Departments	
CUL-6 If inadvertent discoveries of subsurface archaeological resources are discovered during grading, work shall be halted immediately within 50 feet of the discovery. The developer, the project archeologist, and the Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the developer and the Tribe cannot agree on the significance of or the mitigation for such resources, these issues will be presented to the City of Wildomar Planning Director. The Planning Director shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Pechanga Tribe. Notwithstanding any other rights available under the law, the decision of the Planning Director shall be appealable to the City of Wildomar. In the event the significant resources are recovered and if the qualified archaeologist determines the resources to be historic or unique as defined by relevant state and local law, avoidance and mitigation would be required pursuant to and consistent with Public Resources Code Section 21083.2 and CEQA Guidelines Sections 15064.5 and 15126.4. This mitigation measure shall be incorporated into all construction contract documentation.	As a condition of project approval, and implemented during ground-disturbing construction activities	City of Wildomar Engineering and Planning Departments	
CUL-7 To address the possibility that archaeological resources may be encountered during grading or construction, a qualified professional archeologist shall monitor all construction activities that could potentially impact archaeological deposits (e.g., grading, excavation, and/or trenching). However, monitoring may be discontinued as soon the qualified professional is satisfied that construction will not disturb cultural resources.	As a condition of project approval, and implemented during ground-disturbing construction activities	City of Wildomar Engineering and Planning Departments	
CUL-8 Construction personnel involved in excavation and grading activities shall be informed of the possibility of discovering fossils at any location and the protocol to be followed if fossils are found. A professional meeting the Society of Vertebrate Paleontology standards shall provide the preconstruction	Prior to the issuance of a grading permit, pre-construction, and during ground-disturbing activities	City of Wildomar Engineering and Planning Departments	

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<p>training. The City shall ensure the grading plan notes include specific reference to the potential discovery of fossils. A final mitigation monitoring report shall be prepared by the archaeologist documenting any resources found, their treatment, ultimate disposition, new or updated site records, and any other pertinent information associated with the project as outlined in mitigation measure CUL-1. Final copies of the report will be submitted to the City of Wildomar, the developer, the Eastern Information Center, and the Pechanga Tribe.</p> <p>If potentially unique paleontological resources (fossils) are inadvertently discovered during project construction, work shall be halted immediately within 50 feet of the discovery, the City shall be notified, and a professional paleontologist shall be retained to determine the significance of the discovery. The paleontologist shall establish procedures for paleontological resource surveillance throughout project construction and shall establish, in cooperation with the project applicant, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of fossils. Excavated finds shall be offered to a State-designated repository such as the Museum of Paleontology at the University of California, Berkeley, or the California Academy of Sciences.</p>			
Geology and Soils			
<p>GEO-1 No structures for human occupancy (i.e., 2,000 person-hours per year, or as defined by local agencies) shall be constructed within the "Restricted-Use Zone" that has been delineated within the northeastern and southwestern portions of the project site. The boundary of the "Restricted-Use Zone" shall be shown on all construction drawings for the project.</p>	As a condition of project approval	City of Wildomar Planning and Public Works Departments	
Noise			
<p>NOI-1 Development on the project site shall implement the following construction noise mitigation measures to reduce potential construction noise impacts:</p> <ul style="list-style-type: none"> • Construction equipment staging and storage areas shall be located as far from residential land uses as possible. Ideally the construction staging will occur on the area planned for the playground and student drop-off, as close as possible to the 	During construction activities	City of Wildomar Building and Planning Departments	

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<p>northern property line.</p> <ul style="list-style-type: none"> • All construction equipment shall be properly maintained with operating mufflers and air intake silencers as effective as those installed by the original manufacturer. • Residents living up to 1,000 feet from the property line shall be provided with a construction schedule and contact information to file a complaint. Timely notification shall accompany any major changes to this schedule. • Construction shall not include pile driving or blasting activities. • A temporary noise barrier shall be erected along the project boundaries during all construction activities. • Use of vibratory rollers shall be avoided within 160 feet of homes. 			