

# **APPENDIX F**

## **CEQA Mitigation Monitoring and Reporting Program**

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# Appendix D

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## Mitigation Monitoring and Reporting Program

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## **MITIGATION MONITORING AND REPORTING PROGRAM SKY CANYON SEWER MAIN EXTENSION PROJECT**

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring program. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring program must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, the following Mitigation Monitoring and Reporting Checklist has been prepared for the Sky Canyon Sewer Main Extension Project. This Mitigation Monitoring and Reporting Checklist is intended to provide verification that applicable Conditions of Approval relative to significant environmental impacts are monitored and reported. Monitoring will include: (1) verification that each mitigation measure has been implemented, (2) recordation of the actions taken to implement each mitigation measure, and (3) retention of records in the Sky Canyon Sewer Main Extension project file.

This Mitigation Monitoring and Reporting Program delineates responsibilities for monitoring the Program, but also allows Eastern Municipal Water District (District) flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented.

Reporting consists of establishing a record that a mitigation measure is being implemented and generally involves the following steps:

- The District distributes reporting forms to the appropriate persons for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Initial Study and Mitigated Negative Declaration, which provides general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance will be addressed to the District as appropriate.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.
- Responsible parties provide the District with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.
- The District prepares a reporting form periodically during the construction phase and an annual report summarizing project mitigation monitoring efforts.
- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the Mitigation Monitoring and Reporting Program, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the District. Such changes could include reassignment of monitoring and reporting responsibilities, program redesign to make any appropriate improvements, and/or modification, substitution or deletion of mitigation measures subject to conditions described in CEQA Guidelines Section 15162. No change will be permitted unless the Mitigation Monitoring and Reporting Program continues to satisfy the requirements of Public Resources Code Section 21081.6.

**MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST  
SKY CANYON SEWER MAIN EXTENSION PROJECT**

Standard Construction Practice/Design Feature	Monitoring Process	Monitoring Timing	Monitoring Responsibility	Date Completed
<b><i>Air Quality</i></b>				
Standard dust control measures shall be implemented in accordance with South Coast Air Quality Management District (SCAQMD) Rule 403 to control fugitive dust (e.g., watering two times daily during excavation and ensuring that exposed surfaces maintain a minimum soil moisture of 12 percent).	Site Inspection	During Construction	Construction Contractor, Field Engineer (F.E.) Inspector	Date: _____
<b><i>Hazards and Hazardous Materials</i></b>				
The contractor shall obtain a California Occupational Safety and Health Administration Trenching/Shoring Permit for the portions of the project involving trenching and excavation greater than five feet in depth.	Permitting	Prior to Construction	Construction Contractor, F.E. Inspector	Date: _____
The contractor shall obtain a California Occupational Safety and Health Administration Mining and Tunnel Classification for the jack-and-bore construction.	Permitting	Prior to Construction	Construction Contractor, F.E. Inspector	Date: _____
<b><i>Hydrology and Water Quality</i></b>				
A Stormwater Pollution Prevention Plan (SWPPP) shall be implemented in accordance with the State Water Resources Control Board's Construction General Permit (CGP) for stormwater discharges associated with construction activities. The SWPPP shall include erosion and sedimentation control measures to minimize on-site erosion and off-site transportation of eroded materials.	Site Inspection	During Construction	Construction Contractor, F.E. Inspector	Date: _____
The District shall obtain a Riverside County Flood Control and Water Conservation District Encroachment Permit for the pipeline bypassing adjacent to a flood control channel that crosses Murrieta Hot Springs Road east of Sky Canyon Drive.	Permitting	Prior to Construction	Project Manager, F.E. Inspector	Date: _____
If groundwater disposal during construction is necessary, the contractor shall obtain a dewatering permit from the San Diego Regional Water Quality Control Board.	Permitting	Prior to Discharge	Construction Contractor, F.E. Inspector	Date: _____
<b><i>Traffic</i></b>				
The District shall obtain a County of Riverside Transportation Department Encroachment and Excavation Permit for installation of the pipeline within County of Riverside right-of-way.	Permitting	Prior to Construction	Project Manager, F.E. Inspector	Date: _____
The District shall obtain a California Department of Transportation Encroachment Permit for work that would occur within the California Department of Transportation slope easement located along Winchester Road, and for maintaining the proposed sewer manhole at the project's Upstream Connection Point within Borel Road, just east of Winchester Road.	Permitting	Prior to Construction	Project Manager, F.E. Inspector	Date: _____

**MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST  
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Standard Construction Practice/Design Feature	Monitoring Process	Monitoring Timing	Monitoring Responsibility	Date Completed
<b>Traffic (cont.)</b>				
<p>A traffic control plan shall be implemented to minimize traffic-related hazards and maintain vehicular access during construction lane closures within Sky Canyon Drive. The traffic control plan shall ensure that one open lane in each direction and one two-way left turn lane are maintained. Excavation areas within the Sky Canyon Drive right-of-way shall be plated during non-working hours.</p> <p>The traffic control plan shall be submitted for approval by the County of Riverside prior to construction.</p>	Project Records, Verify Preparation and Implementation of Traffic Control Plan	Prior to and During Construction	Project Manager, Construction Contractor, F.E. Inspector	Date: _____
<b>Utilities</b>				
The District shall obtain a waiver from the State Water Resources Control Board for the installation of the pipeline within the paved portion of Sky Canyon Drive, due to the pipeline's proposed proximity to an existing storm drain, sewer laterals, and a potable water pipeline.	Permitting	Prior to Construction	Project Manager, F.E. Inspector	Date: _____
Mitigation Measure	Monitoring Process	Monitoring Timing	Monitoring Responsibility	Date Completed
<b>Biological Resources</b>				
<p><b>BIO-1, Nesting Bird and Raptor Avoidance.</b> Trimming, grubbing, and clearing of vegetation shall be avoided during the general avian breeding season (January 15 to July 15 for raptors; February 15 to August 31 for other avian species) to the extent feasible. If trimming, grubbing, or clearing of vegetation is proposed to occur during the general avian breeding season, a pre-construction survey shall be conducted by a qualified biologist no more than 7 days prior to vegetation clearing to determine if active bird nests are present in the affected areas. If there are no nesting birds (includes nest building or other breeding/nesting behavior) within this area, trimming, grubbing, and clearing of vegetation shall be allowed to proceed. If active bird nests are confirmed to be present during the pre-construction survey, a buffer zone will be established by the biologist. Construction activities shall avoid any active nests until a qualified biologist has verified that the young have fledged, or the nest has otherwise become inactive.</p>	Pre-construction Survey	Prior to Construction	Qualified Biologist, Project Manager	Date: _____
<p><b>BIO-2, Burrowing Owl Pre-Construction Survey.</b> Prior to construction, the District shall retain a qualified biologist to conduct required pre-construction take avoidance surveys for the burrowing owl in accordance with the protocol described in the California Department of Fish and Wildlife (CDFW) Staff Report on Burrowing Owl Mitigation (CDFW 2012). The initial take avoidance survey shall occur no less than 14 days prior to initiating ground disturbing activities, with a final survey conducted within 24 hours prior to initiating ground disturbing</p>	Pre-construction Survey	Prior to Construction	Qualified Biologist, Project Manager	Date: _____

**MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST  
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Mitigation Measure	Monitoring Process	Monitoring Timing	Monitoring Responsibility	Date Completed
<b>Biological Resources (cont.)</b>				
<b>BIO-2, Burrowing Owl Pre-Construction Survey (cont.)</b> activities. If, after the initial take avoidance survey, no suitable burrowing owl habitat including burrows is present, the second survey 24 hours prior to ground disturbance shall not be required.				
The project shall avoid disturbing active burrowing owl burrows (nesting sites) and burrowing owl individuals. Buffers shall be established around occupied burrows in accordance with guidance provided in the CDFW’s Staff Report on Burrowing Owl Mitigation (2012) based on the proposed level of disturbance. For low disturbance projects, initial setback distances for avoidance of active burrows shall be 200 meters from April 1 to October 15 and 50 meters from October 16 to March 31. Exceptions can be made to the avoidance distance for areas with natural (hills, trees) or artificial (buildings, walls) barriers in place. The final avoidance buffer shall be at the discretion of the biologist. If, after consideration of a reduced buffer, an adequate avoidance buffer cannot be provided between an occupied burrow and required ground-disturbing activities, then passive relocation activities during the non-breeding season (September 1 through January 31) may be authorized in consultation with CDFW, which would include preparation, approval, and implementation of a Burrowing Owl Exclusion Plan in accordance with protocol described in the CDFW Staff Report on Burrowing Owl Mitigation. No impacts shall occur to active burrowing owl nests or individuals.	Burrowing Owl Exclusion Plan	Prior to Construction	Qualified Biologist, Project Manager	Date: _____
<b>BIO-3, Construction Fencing.</b> Prior to construction, to help ensure inadvertent impacts to jurisdictional areas outside of the approved impact footprint are avoided during construction, temporary construction fencing, including silt fencing, as appropriate and where determined necessary by the SWPPP, shall be installed at the edges of the approved impact limits for the project. A qualified biologist shall be retained to monitor the installation of the temporary construction fencing wherever it would abut environmentally sensitive areas. Construction activities shall be restricted to areas within the approved impact limits at all times during construction.	Installation of Construction Fencing	Prior to and During Construction	Construction Contractor, F.E. Inspector, Qualified Biologist	Date: _____
<b>BIO-4, Biological Construction Monitoring.</b> A qualified biologist will conduct a pre-construction environmental training session for construction personnel to inform them of the sensitive biological resources on site and avoidance measures to remain in compliance with project approvals. The biologist will monitor initial vegetation clearing, grubbing, and grading activities to ensure that activities occur within the approved limits of work and avoid impacts to nesting birds. The	Biological monitoring	Prior to and During Construction	Construction Contractor, F.E. Inspector, Qualified Biologist	Date: _____

**MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST  
SKY CANYON SEWER MAIN EXTENSION PROJECT**

Mitigation Measure	Monitoring Process	Monitoring Timing	Monitoring Responsibility	Date Completed
<b>Biological Resources (cont.)</b>				
<b>BIO-4, Biological Construction Monitoring (cont.)</b> biologist will periodically monitor the limits of construction where work activities occur outside public road rights-of-way to ensure that avoidance areas are delineated with temporary fencing and that fencing remains intact.				
<b>Cultural Resources</b>				
<b>CR-1, Cultural Resources Monitoring Agreement.</b> At least 30 days prior to the start of any ground-disturbing activities, the District shall contact the Consulting Tribe(s) to develop Cultural Resource Treatment Monitoring Agreement(s) (“Agreement”). The Agreement(s) shall address the treatment of archaeological resources inadvertently discovered on the project site; project grading; ground disturbance and development scheduling; the designation, responsibilities, and participation of tribal monitor(s) during grading, excavation, and ground disturbing activities; and compensation for the tribal monitors, including overtime, weekend rates, and mileage reimbursements.	Project Records	Prior to Construction	Project Manager, Tribal Monitor(s)	Date: _____
<b>CR-2, Develop a Cultural Resources Monitoring Plan.</b> Prior to any grading activities, a Cultural Resources Monitoring Plan shall be prepared by a qualified archaeologist in consultation with the Consulting Tribe(s). The plan shall also identify the location and timing of cultural resources monitoring. The plan shall contain an allowance that the qualified archaeologist, based on observations of subsurface soil stratigraphy or other factors during initial grading, and in consultation with the Native American monitor and the lead agency, may reduce or discontinue monitoring as warranted if the archaeologist determines that the possibility of encountering archaeological deposits is low. The plan shall outline the appropriate measures to be followed in the event of unanticipated discovery of cultural resources during project implementation (including during the survey to occur following vegetation removal and monitoring during ground-disturbing activities). The plan shall identify avoidance as the preferred manner of mitigating impacts to cultural resources. The plan shall establish the criteria utilized to evaluate the historic significance (per CEQA) of the discoveries, methods of avoidance consistent with <i>CEQA Guidelines</i> Section 15126.4(b)(3), as well as identify the appropriate data recovery methods and procedures to mitigate the effect of the project if avoidance of significant historical or unique archaeological resources is determined to be infeasible. The plan shall also include reporting of monitoring results within a timely manner, disposition of artifacts, curation of data, and dissemination of reports to local and state repositories, libraries, and interested professionals. A qualified archaeologist and Consulting Tribe(s) tribal	Monitoring Program	Prior to Construction	Project Manager, Qualified Archaeologist, Tribal Monitor(s)	Date: _____

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Mitigation Measure	Monitoring Process	Monitoring Timing	Monitoring Responsibility	Date Completed
<b><i>Cultural Resources (cont.)</i></b>				
<p><b>CR-2, Develop a Cultural Resources Monitoring Plan (cont.)</b>                      monitor shall attend a pre-grade meeting with District staff, the contractor, and appropriate subcontractors to discuss the monitoring program, including protocols to be followed in the event that cultural material is encountered.</p>				
<p><b>CR-3, Tribal Monitoring Agreements.</b> A qualified archaeological monitor and a Consulting Tribes(s) monitor shall be present for ground-disturbing activities associated with the project, and both the project archaeologist and Tribal Monitor(s) will make a determination as to the areas with a potential for encountering cultural material. At least seven business days prior to project grading, the District shall contact the tribal monitors to notify the Tribe of grading/excavation and the monitoring program/schedule, and to coordinate with the Tribe on the monitoring work schedule. Both the archaeologist and the tribal monitor shall have the authority to stop and redirect grading activities in order to evaluate the nature and significance of any archaeological resources discovered within the APE. Such evaluation shall include culturally appropriate temporary and permanent treatment pursuant to the Cultural Resources Treatment and Monitoring Agreement, which may include avoidance of cultural resources, in-place preservation, data recovery, and/or reburial so the resources are not subject to further disturbance in perpetuity. Any reburial shall occur at a location predetermined between the District and the Consulting Tribe(s), details of which shall be addressed in the Cultural Resources Treatment and Monitoring Agreement in MM CR-1. Treatment may also include curation of the cultural resources at a tribal curation facility, as determined in discussion among the District, the project archaeologist, and the tribal representatives and addressed in the Cultural Resources Treatment and Monitoring Agreement referenced in MM CR-1.</p>	Archaeological Monitoring	During Construction	Project Manager, F.E. Inspector, Qualified Archaeologist, Tribal Monitor(s)	Date: _____
<p><b>CR-4, Evaluation of Discovered Artifacts.</b> All artifacts discovered at the development site shall be inventoried and analyzed by the project archaeologist and tribal monitor(s). A monitoring report will be prepared, detailing the methods and results of the monitoring program, as well as the disposition of any cultural material encountered. If no cultural material is encountered, a brief letter report will be sufficient to document monitoring activities.</p>	Proper Assessment, and Documentation of Archeological Resource(s)	During Construction	Project Manager, Qualified Archaeologist, Tribal Monitor(s)	Date: _____

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Mitigation Measure	Monitoring Process	Monitoring Timing	Monitoring Responsibility	Date Completed
<b><i>Cultural Resources (cont.)</i></b>				
<p><b>CR-5, Disposition of Inadvertent Discoveries.</b> In the event that Native American cultural resources are recovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries with the tribe. The District 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, and adhere to the following:</p> <ol style="list-style-type: none"> <li>1) Preservation-in-place is the preferred option; preservation-in-place means avoiding the resources and leaving them in the place where they were found with no development affecting the integrity of the resource.</li> <li>2) If preservation-in-place is not feasible, on-site reburial of the discovered items as detailed in the Monitoring Plan required pursuant to MM CR-2 is the next preferable treatment measure. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments.</li> <li>3) In the event that on-site reburial is not feasible, the District will enter into a curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 Code of Federal Regulations 800 Part 79 and therefore would be 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 Riverside County, to be accompanied by payment of the fees necessary for permanent curation.</li> </ol>	Proper Treatment and Disposition of Archaeological Resources(s)	During Construction	Project Manager, Qualified Archaeologist, Tribal Monitor(s)	Date: _____
<p><b>CR-6, Non-Disclosure of Reburial Locations.</b> It is understood by all parties that unless otherwise required by law, the site of any reburial of culturally sensitive resources shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254(r), parties, and Lead Agencies will be asked to withhold public disclosure information related to such reburial.</p>	Non-disclosure of Resource Reburials	During and After Construction	Project Manager, Riverside County Coroner	Date: _____

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Mitigation Measure	Monitoring Process	Monitoring Timing	Monitoring Responsibility	Date Completed
<b><i>Cultural Resources (cont.)</i></b>				
<p><b>CR-7, Human Remains.</b> If Native American human remains are encountered, Public Resources Code Section 5097.98 and California Health and Safety Code Section 7050.5 will be followed. If human remains are encountered 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 coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours. Subsequently, the NAHC shall identify the person or persons it believes to be the “most likely descendant.” The most likely descendant shall then make recommendations and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.</p>	Proper Assessment, Treatment, and Disposition of Human Remains	During Construction	Project Manager, F.E. Inspector, Construction Contractor, Riverside County Coroner	Date: _____
<b><i>Geology and Soils</i></b>				
<p><b>GEO-1, Paleontological Discovery.</b> In the event that potentially significant paleontological materials (e.g., fossils) are encountered during construction of the project, work shall be halted in the vicinity of the paleontological discovery until a qualified paleontologist can visit the site of discovery, assess the significance of the paleontological resource, and provide proper management recommendations. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted. The treatment and disposition of paleontological materials that might be discovered during excavation shall be in accordance with applicable laws and regulations.</p>	Proper Assessment, Treatment, and Disposition of Paleontological Resources	During Construction	Project Manager, F.E. Inspector, Construction Contractor, Qualified Paleontologist	Date: _____