

MITIGATION MONITORING/REPORTING PROGRAM

CALMAT CAJON CREEK SPECIFIC PLAN AND CONDITIONAL USE PERMIT/RECLAMATION PLAN

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EXECUTIVE SUMMARY

This Mitigation Monitoring/Reporting Program (MM/RP) has been prepared in conjunction with the Draft and Final Environmental Impact Report (EIR) for the CalMat Cajon Creek Specific Plan and Conditional Use Permit/Reclamation Plan. Each mitigation measure required by the EIR is restated in substantially the same language as was used in that document.

This MM/RP is intended to be administered by the City of San Bernardino Planning and Building Services (the City) upon adoption by the Planning Commission and/or City Council. Compliance with mitigation requirements by other agencies, such as the Regional Water Quality Control Board (RWQCB), the South Coast Air Quality Management District (SCAQMD), and County Hazardous Materials Management Division (HMMD), shall be secured by the permittee and presented to the City.

The MM/RP includes the identification of each mitigation measure, monitoring or reporting action; the party responsible for the monitoring, the timing during which monitoring will occur, and the recommended reporting documentation relative to the monitoring of the mitigation measures provided in Section 4.0 of the EIR for each of the following:

- Biological Resources
- Air Quality
- Geologic/Geotechnical
- Surface Hydrology
- Noise
- Land Use
- Traffic and Circulation
- Visual Resources
- Cultural and Historic Resources
- Hazardous Materials
- Public Services and Utilities
- Cumulative Impacts

MITIGATION MONITORING/REPORTING PROGRAM

1.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires adoption of mitigation measures that will reduce impacts to levels of insignificance. The measures are approved and adopted as integral components of project design. Monitoring of mitigation measures is required by Public Resources Code Section 21081.6 (enacted by passage of AB 3180). Compliance with AB 3180 requires public agencies approving projects which may cause significant environmental impacts to monitor the mitigation of those impacts. Therefore, when making CEQA findings the public agency must adopt a monitoring and reporting program "designed to ensure compliance during project implementation."

This Mitigation Monitoring/Reporting Program (MM/RP) was prepared for CalMat Co. (the Applicant) and provides a program to examine, document and record the monitoring of mitigation measures identified in the Draft and Final Environmental Impact Report (EIR) for the CalMat Cajon Creek Specific Plan and Conditional Use Permit (CUP)/Reclamation Plan. The Applicant will implement this MM/RP upon review and approval of the EIR by the City of San Bernardino Planning Commission and the MM/RP will be administered by the City of San Bernardino Department of Planning and Building Services (the City).

The EIR identifies various measures that will be undertaken by the Applicant to mitigate potential significant environmental impacts that could result from implementation of the "project" which includes: the Specific Plan, a Development Code Amendment, a CUP and Reclamation Plan, Tentative Parcel Maps for industrial developments, a General Plan Amendment and annexation. Some of the mitigation measures that are identified may have been mandated as conditions of regulatory permits. For example, emissions from the proposed processing plant will be reviewed by the South Coast Air Quality Management District (SCAQMD) prior to being granted a permit to operate. SCAQMD regulations set forth requirements to ensure that the operation of the facilities do not interfere with progress in attainment of ambient air quality standards.

1.2 MITIGATION MONITORING/REPORTING ACTIVITIES

The mitigation monitoring and reporting activities are identified in Table 1-1 of this MM/RP. The table is designed for recording mitigation monitoring by the City, who will serve as the verifying agency. In addition to identifying the mitigation measures, the table identifies the party responsible for the monitoring, the timing during which monitoring will be implemented, and, the recommended reporting documentation that will serve as the record of monitoring compliance. Mitigation monitoring may be initiated during, as a part of, or following some stage of the project development; e.g., design, construction and/or operation. The following is an explanation of the information contained in each column of Table 1-1.

Column 1: **Mitigation Measure:** An inventory of each mitigation measure is provided in substantially the same language that was used in the EIR for the project.

Column 2: **Reporting Responsibility:** This column identifies the party responsible for reporting compliance with the mitigation measure.

Column 3: **Timing:** Timing describes the logical time during which the mitigation measures will be monitored (e.g. during construction). Since timing is dependent upon the progression of the overall project, specific dates are not used.

Column 4: **Monitoring and Reporting Documentation:** This column of the table identifies the documentation which will serve as the record of compliance for mitigation monitoring.

Column 5: **Completed (By/Date):** Upon receipt of the monitoring and reporting documentation by the verifying agency (the City of San Bernardino), the mitigation monitoring requirement is satisfied and this column will serve as the checklist to be initialed and dated by the City staff person in receipt of the documentation.

1.3 MANAGEMENT OF THE MM/RP

The MM/RP is designed to be a working document and is proposed to serve as a compliance record. Once the "Monitoring and Reporting Documentation" (see Column 4 of Table 1-1) is produced by the project applicant for the respective mitigation measure, and has been reviewed by the City, the mitigation measure shall be deemed complete and signed-off on the MM/RP (see Column 5 of Table 1-1).

1.3.1 Annual Reporting Compliance

The City will also implement an annual reporting compliance audit to review and assess the overall status of the MM/RP. This annual reporting requirement will provide an opportunity for the City to review the compliance record and report on the effectiveness of mitigation used. The annual compliance report is also an opportunity for the applicant to present verification of compliance and provide supporting documentation discussing the effectiveness of mitigations used.

1.3.2 Revisions to the MM/RP

Any proposed revisions to the MM/RP will require the approval of the Director of Planning and Building Services for the City of San Bernardino. In the event any administrative revisions are required in the MM/RP, such revision will be identified in a letter addendum and placed in the City's file attached to the MM/RP. An administrative change is considered one that does not affect the mitigation requirement or the overall intent of the mitigation measure. Changes to the MM/RP that are of a substantive nature will necessitate a public hearing and adoption by the Planning Commission.

TABLE 1-1
Mitigation Monitoring/Reporting Program

4.1 Biological Resources

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
Grading within Planning Area O shall be limited to that required to provide adequate haul road access to allow Planning Area P in-stream mining activities, provide necessary flood control, or to provide for necessary streambed stabilization.	Applicant	Prior to grading of haul roads.	CUP and a horizontal and vertical road alignment study	
No permanent structures, other than flood control, streambed stabilization structures, or haul roads associated with Planning Area P, shall be permitted within the Planning Area O 100-year floodplain.	Applicant	Over the life of the project.	Specific Plan	
Planning Areas which are not within the floodplain, including mined areas within Planning Areas L, M and F; and the processing plant areas within Planning Areas D, I and N, shall be planted with seeds to provide erosion control using the natural components of the Riversidian alluvial fan sage scrub.	Applicant through Qualified Biologist/Revegetation Specialist	During Reclamation Plan Revegetation	Reclamation Plan Progress Report and Annual Inspection Form	
Mined areas within Planning Area P, within the floodplain, shall be planted and seeded with native plants to restore elements of Riversidian alluvial fan sage scrub and bench habitat conditions now present on site.	Applicant through Qualified Biologist/Revegetation Specialist	During Reclamation Plan Revegetation	Reclamation Plan Progress Report and Annual Inspection Form	
Container grown revegetation plant materials shall be propagated from either seeds or cuttings taken from the site. Collection and propagation of seeds and cuttings shall occur approximately one year prior to on-site planting.	Applicant through Qualified Biologist/Revegetation Specialist	During Reclamation Plan Revegetation	Reclamation Plan Progress Report and Annual Inspection Form	
Seeds used for hydroseeding shall consist of only native species, obtained from both on site collection or collection from adjacent properties.	Applicant through Qualified Biologist/Revegetation Specialist	During Reclamation Plan Revegetation	Reclamation Plan Progress Report and Annual Inspection Form	
Maintenance of the revegetation areas shall be limited to weed eradication of invasive exotic species, and replacement of container stock if necessary.	Applicant through Qualified Biologist/Revegetation Specialist	During Reclamation Plan Revegetation	Reclamation Plan Progress Report and Annual Inspection Form	

TABLE I-1 (Continued)
Mitigation Monitoring/Reporting Program

4.1 Biological Resources

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
<p>Monitoring of the revegetation areas shall be done annually, over a five year period in accordance with SMARA Section 2773(a). Minimum standards should be developed by CalMat in conjunction with the lead agency and California Divisions of Mines and Geology (CDMG). The Applicant will be responsible for attaining and maintaining the Revegetation Plan. The Revegetation Plan Guidelines in the Reclamation Plan state that the objective and expectation of the revegetative efforts are to achieve a vegetative cover at or near currently existing vegetation within three to five years.</p>	<p>Applicant through Qualified Biologist/Revegetation Specialist</p>	<p>During Reclamation Plan Phasing Over Life of Project</p>	<p>Reclamation Plan Progress Report and Annual Inspection Form</p>	
<p>Records shall be kept of the initial plantings with details to include: date of planting, and planting locations of container materials and seeds. Subsequent monitoring shall determine the total vegetative cover and species health/survival rates. If necessary recommendations for replanting and weed removal shall be made.</p>	<p>Applicant through Qualified Biologist/Revegetation Specialist</p>	<p>During Reclamation Plan Phasing</p>	<p>Reclamation Plan Progress Report and Annual Reporting Compliance for MM/RP</p>	
<p>Slender-Horned Spineflower:</p> <p>Surveys are to be conducted within areas of the project site identified as suitable habitat for the slender-horned spineflower. Those recommendations include the following:</p> <ol style="list-style-type: none"> 1) An additional survey shall be conducted in upland habitat, which was previously surveyed for slender-horned spineflower. This area corresponds primarily with Planning Areas to the east of the Southern Pacific Railroad, together with Planning Area M and portions of Planning Areas I, J and N; 2) Two additional consecutive spring surveys, shall be conducted within floodplain habitat, which was also previously surveyed. This area corresponds with portions of Planning Areas I, J, N, and O; and 3) Three additional consecutive spring surveys shall be conducted in the area which has not yet been surveyed. This area corresponds with a portion of Planning Area O and Planning Area P. 	<p>Applicant and Qualified Biologist</p>	<p>Prior to Development Permit(s) approval for construction or prior to extractive activity. (The Applicant will conduct the first of the recommended spring surveys in the spring of 1992).</p>	<p>Development Permit(s) and Technical Report from Biology Consultant stating findings of surveys. If survey findings identify the presence of the Slender-horned spineflower, the contingency mitigation measure will be required. (See next page)</p>	

TABLE 1-1 (Continued)

Mitigation Monitoring/Reporting Program

Slender-horned Spineflower Contingency Mitigation Measure

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
<p>If the slender-horned spineflower is located during any of the spring surveys, the CDFG and the USFWS shall be notified of its presence on the site; and, if recommendations warrant it, a diligent effort will be made to salvage the plant population under the guidance of the USFWS and the CDFG.</p> <ul style="list-style-type: none"> - If during a survey native species of the slender-horned spineflower are identified on the project site, its position will be marked (e.g. flagged or staked); - All identified locations where slender-horned spineflower plants were marked shall be revisited after the blooming season (i.e., July) for seed collection; and - Seeds of native species which have been collected from the site will provide for research and the establishment of a population under the guidance of the USFWS and the CDFG. 	Qualified Biologist, USFWS and CDFG	Prior to Development Permit(s) approvals for construction or prior to extractive activity within areas that would be affected.	Record of formal consultation with CDFG and USFWS.	

TABLE 1-1 (Continued)
Mitigation Monitoring/Reporting Program

4.2 Air Quality

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
Air quality permits mandated by the AQMD (Authority to Construct and Permit to Operate) will be obtained and renewed as required. The AQMD will require the best available control technology (BACT) on those processing components amenable to dust control (i.e., the concrete batch plant, aggregate transfer and storage).	SCAQMD	Prior to construction and operations as required by SCAQMD.	Authority to Construct and Permit to Operate	
Fugitive dust impacts from materials handling and in-plant travel will be controlled through a program of paving the access road and major intraplant travel paths, i.e., in main roads between the rockplant/stockpile areas, and the scalehouse and the batchplants. Dust control shall also be provided through the use of water or other dust palliatives on storage piles and load out systems, and through an aggressive program of roadway sweeping and watering to remove spillage from public and private roadways. Minimum implementation action of the mitigation measures will be to meet the requirements of AQMD Rule 401, prohibiting a visible dust plume at the project boundary.	SCAQMD and Applicant	During construction and operations	Authority to Construct and Permit to Operate	
A landscaping program will be implemented that utilizes fast-growing species with minimum water demands to reduce wind erosion and off-site transport. A windbreak will be included in the landscaping north of the Planning Area N processing plant to reduce winds through the plant. Also, a landscaped earthen berm together with a line of landscaping will be provided for in the landscape plan near the southern site boundary. This vegetation and berming system will trap wind blown dust.	Applicant	In conjunction with developmental review process for a CUP, with installation occurring prior to commencement of operations	Development Permit and landscape plan	
Aggregate facilities access/egress shall be designed to minimize use of local arterial roadways or areas of existing or potential future air quality sensitivity.	City of San Bernardino	In conjunction with developmental review process for CUP	CUP	

TABLE 1-1 (Continued)

Mitigation Monitoring/Reporting Program

4.2 Air Quality

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
<p>A dust control plan in accordance with requirements for aggregate operations will be implemented. Compliance with SCAQMD Rule 403 (as currently proposed for amendment) requires that the control plan be approved by the SCAQMD Executive Director. The dust control plan will include a high wind response plan that will be implemented when hourly average winds exceed a given threshold velocity as measured by on-site wind instrumentation. The high wind response plan shall include the following provisions:</p> <ul style="list-style-type: none"> - A doubling of the water application rate will be implemented on internal haul roads and or transfer points not equipped with dust collections. - Aggregate load-out will be located behind a wind-sheltered barrier. - Travel on unwatered surface above pit floor grade will be prohibited. - Additional spillage cleanup in the plant area will occur when formation of high winds are forecast by the National Weather Service. <p>CalMat shall provide a transportation demand management program (TDM) for all site tenants.</p>	Applicant and SCAQMD	Prior to construction and operation	Authority to Construct, Permit to Operate and Dust Control Plan, and Annual Reporting Compliance for MM/RP	
CalMat shall provide a transportation demand management program (TDM) for all site tenants.	Applicant	Prior to occupancy and during operation	TDM Program and Annual Reporting Compliance for MM/RP	
Document that BACT is employed in all phases of plant operations (baghouse for dust control, low pollution fuel in the asphaltic concrete dryer, water spray on aggregate transfer and storage, etc.)	SCAQMD	Prior to construction	Permit to Construct and Annual Reporting Compliance for MM/RP	

TABLE 1-1 (Continued)

Mitigation Monitoring/Reporting Program

4.3 Geologic and Geotechnical

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
<u>Ground Rupture.</u> Site development plans will not include the construction of habitable structures within the designated Alquist-Priolo Special Study Zones, therefore the investigative mitigations called for in that regulation are not necessary.	Applicant	In conjunction with developmental review process for Development Permit(s)	Parcel Maps and Development Permit(s)	
<u>Ground Shaking.</u> Human-occupancy structures shall be designed to conform to all applicable standards and guidelines including (but not limited to) appropriate local building codes and the Uniform Building Code.	Applicant/Geotechnical Consultant	In conjunction with developmental review process for Building Permit(s)	Building Permit(s)	
<u>Liquefaction.</u> Although the potential for impacts is considered to be less than significant, site-specific subsurface geotechnical studies shall be conducted for individual buildings to further evaluate liquefaction potential. If liquefaction-susceptible areas are identified, mitigation for proposed buildings would be site-specific and will include: enhanced foundation design, remedial grading, and/or relocation of planned structures.	Applicant/Geotechnical Consultant	In conjunction with developmental review process for Development Permit(s)	Development Permit(s) and Report from Geotechnical Engineer	
<u>Groundwater.</u> In the event of temporarily exposed groundwater within deep mining areas, mining will be temporarily suspended within those immediate areas.	Applicant	During mining operations	Letter Report of Incidence(s) and Annual Reporting Compliance for MM/RP	
<u>Slope Stability.</u> All slope design, cuts and fills, erosion control, surface and subsurface drainage shall conform to the recommendations of the geotechnical consultant. Slope failure will be controlled by reducing the angle of finished slopes, stabilizing the surface by establishing a suitable ground cover, and by providing adequate setbacks.	Applicant/Geotechnical Consultant	In conjunction with developmental review process for Development Permit(s)	Reclamation Plan Progress Report and Annual Inspection Form	

TABLE 1-1 (Continued)
Mitigation Monitoring/Reporting Program

4.3 Geologic and Geotechnical

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
<p>Foundation Design. In order to mitigate the effects of potential ground shaking, possible liquefaction, and loose surficial soils, the following is recommended:</p> <ul style="list-style-type: none"> - The use of perimeter footings and floor slabs with reinforcing shall be employed where recommended by the geotechnical consultant to mitigate the effects of seismically-induced differential settlements. - Recompectation of near-surface loose or disturbed zones of soil shall be employed in the proposed light and heavy industrial development areas. Site-specific geotechnical studies shall be made for grading and construction on these sites. 	Applicant/Geotechnical Consultant	In conjunction with developmental review process for Building and Grading Permit(s)	Building and Grading Permits and Soils Report	
<p>During geotechnical testing for building sites within 1,000 feet of the landfill, shallow testing will be conducted to determine the concentrations of methane gas and to verify the County's compliance with the monitoring and control requirements.</p>	Applicant/Geotechnical Consultant	In conjunction with developmental review process for Development Permit(s)	Development Permit(s) and Report from Geotechnical Engineer	
<p>All owners and occupants of buildings within 1,000 feet of any detected landfill gas shall be notified of such an occurrence.</p>	Applicant	Prior to and during occupancy	Notification Letter	

TABLE 1-1 (Continued)
Mitigation Monitoring/Reporting Program

4.4 Surface Hydrology

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
Proposed site design and drainage system plans shall be submitted for review to the City of San Bernardino. Final design shall include all requirements and recommendations provided by the San Bernardino Flood Control District and the City Water Department.	Applicant	In conjunction with developmental review process for Development Permit(s)	Development Permit(s) and Drainage Plan and Stormwater Pollution Prevention Plan.	
<p>Adequate mining area and aggregate processing plant site drainage shall include the following measures:</p> <ul style="list-style-type: none"> - Surface drainage will be diverted around the mining pits within Planning Areas F, L and M. Internal drainage will be collected at the lower end of excavation for percolation. - Adequate surface drainage control shall be designed for aggregate processing plantsites within Planning Areas I and N, so that erosion and sedimentation does not develop in the adjacent Cajon Creek. 	Applicant	In conjunction with developmental review process for Development Permit(s) and/or CUP	Development Permit(s) and/or CUP, Drainage Plan and Stormwater Pollution Prevention Plan	
All project-related drainage facilities shall be designed to accommodate runoff associated with a 25-year flood event pursuant to requirements of the City of San Bernardino Public Works Department.	Applicant	In conjunction with developmental review process for Development Permit(s) and/or CUP	Development Permit(s) and/or CUP and Specific Plan Infrastructure Improvement Plan	
Final design specifications shall include a schedule for regular maintenance of all drainage facilities to ensure proper working condition.	Applicant	In conjunction with developmental review process for Development Permit(s) and/or CUP	Development Permit(s) and/or CUP, Drainage Plan and Stormwater Pollution Prevention Plan	
Discharge of surface runoff, whether from storm drains or diversions from pit areas, are subject to Stormwater Discharge Permits from the RWQCB.	Applicant and RWQCB	In conjunction with developmental review process for Development Permit(s) and/or CUP	Development Permit(s) and/or CUP and Stormwater discharge permits	

TABLE 1-1 (Continued)
Mitigation Monitoring/Reporting Program

4.4 Surface Hydrology

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
Erosion control measures described in the Specific Plan Design Guidelines shall be inspected after emplacement by a qualified engineering or hydrological consultant to insure proper working condition.	Applicant/Qualified Consultant	Following installation	Inspection report (recording compliance) and Annual Reporting Compliance for MM/RP	
The Applicant will file a Notice of Intent (NOI) at least 30 days prior to beginning industrial and mining operations and will develop and implement a storm water pollution prevention plan and monitoring program consistent with the SWRCB General Permit.	Applicant and SWRCB	Prior to operations	NPDES Stormwater Permit and Annual Reporting Compliance for MM/RP	
Erosion control measures associated with mining and reclamation shall include the following: - Implementation of the Revegetation Plan, which provides for hydroseeding all disturbed areas.	Applicant	During Reclamation Plan Revegetation	Reclamation Plan Progress Report and Annual Inspection Form	
Recommendations on the design and location of all industrial development drainage facilities, provided during geotechnical or hydrological observations of grading and construction activities, shall be incorporated into final project design.	Applicant and Public Works Department	In conjunction with developmental review process for Development Permit(s)	Development Permit(s) and reported recommendations of geotechnical consultant	
Process water from plants in Planning Areas D and N will be reclaimed and re-used by means of settling ponds and a recirculating system.	Applicant	During mining operations	CUP and Annual Reporting Compliance for MM/RP	
All facilities subject to flooding damage shall be located outside of the 100-year floodplain or otherwise protected per direction of the project engineering, geotechnical, or hydrological consultants, and the City of San Bernardino Public Works Department.	Applicant	Over the life of project	CUP and Annual Reporting Compliance for MM/RP	

TABLE 1-1 (Continued)
Mitigation Monitoring/Reporting Program

4.4 Surface Hydrology

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
Prior to expansion of useable area within the presently mapped FEMA 100-year floodplain, approvals will be obtained if required from the RWQCB and the COE.	Applicant and City of San Bernardino	In conjunction with developmental review process for Development Permit(s) and/or CUP	Development Permit(s) and/or CUP, COE permit or FEMA map revision	
Prior to granting of City approval, CalMat will file a request for a FEMA map revision, a Letter of Map Revision (LOMR) to Panel No. 7920, relative to those portions of the Planning Areas located within the presently mapped FEMA 100-year floodplain where any development is proposed.	Applicant	In conjunction with developmental review process for Development Permit(s)	Development Permit(s) and HEC-2 Study	

TABLE 1-1 (Continued)

Mitigation Monitoring/Reporting Program

4.5 Noise

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
Plant operations, including aggregate extraction, processing, handling and formulation of any construction materials, shall not cause hourly noise levels to exceed any of the following noise levels at the nearest occupied residence to the processing plant site: 65 dB Leq from 7:00 a.m. to 7:00 p.m.; 60 dB Leq from 7:00 p.m. to 10:00 p.m.; and 55 dB Leq from 10:00 p.m. to 7:00 a.m.	Applicant	During plant operations	In accordance with Noise ordinance. Noise complaints will be documented and included in Annual Reporting Compliance for MM/RP.	
Plant site layout and design shall be located in such a manner as to minimize impacts to residences to the southwest of Planning Area N, behind the Southern Pacific Railroad embankment.	Applicant	In conjunction with developmental review process for CUP	CUP and Site Plan	
The project will comply with noise review policy 14.1.1. specified in the City of San Bernardino General Plan, Noise Element. The policy provides that new industrial uses or expansions to existing industrial uses shall not generate noise levels on areas containing sensitive land uses above 65 dB(A) CNEL.	Applicant and City of San Bernardino	In conjunction with developmental review process for Development Permit(s)	Development Permit(s) and Annual Reporting Compliance for MM/RP	

TABLE 1-1 (Continued)
Mitigation Monitoring/Reporting Program

4.6 Land Use

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
No mitigation proposed.	N/A	N/A	N/A	

TABLE 1-1 (Continued)
Mitigation Monitoring/Reporting Program

4.7 Traffic and Circulation

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
Road improvements shall be provided along Cajon Boulevard fronting on the project side of the centerline adjacent to each Planning Area as a condition of the Tentative Map approval process for Planning Areas D, E and F; G and H; K and L; and, A and B.	Applicant and City of San Bernardino	During Construction	Tentative Map	
Individual lot driveway access, to Planning Areas A, B, D (ultimate), E, G, H and K along Cajon Boulevard shall share points of access.	Applicant and City of San Bernardino	During Construction	Tentative Map	
Road frontage improvements shall be provided along Institution Road in accordance with the Infrastructure Improvement Plan (Figure 4.7-2) as a condition of the Tentative Map approval process for Planning Areas G and H; and, I and J.	Applicant and City of San Bernardino	During Construction	Tentative Map and Specific Plan Infrastructure Improvement Plan	
Access road improvements, including a provision for a west bound left turn lane, shall be made at Institution Road should Planning Areas I and J or N precede development of Planning Areas G and H.	Applicant and City of San Bernardino	During Construction	Tentative Map or CUP	
Internal street access to Planning Areas I and J should be limited to two points along Institution Road frontage. Adequate access shall be provided for both on-site uses, as well as the provision of an on-site access road for aggregate transport trucks connecting Planning Areas M and N to the south.	Applicant and City of San Bernardino	During Construction	Tentative Map or CUP	
Interim improvements of the Cajon Boulevard, Institution Road and Palm Avenue intersection shall include realignment of the Institution Road leg of the intersection in accordance with the Traffic Study.	Applicant and City of San Bernardino	During construction	Specific Plan Infrastructure Improvement Plan	

TABLE 1-1 (Continued)
Mitigation Monitoring/Reporting Program

4.7 Traffic and Circulation

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
The ultimate intersection improvement at Cajon Boulevard, Institution Road and Palm Avenue (see Detail "A" of Infrastructure Improvement Plan) shall be provided as a condition of the Tentative Map approval process for Planning Areas G and H.	Applicant and City of San Bernardino Traffic Engineering	During construction	Tentative Map and Specific Plan Infrastructure Improvement Plan	
Improvement of the Cajon Boulevard and Kendall Drive intersection, as condition of the Tentative Map approval process for Planning Areas A and B, shall be provided in accordance with the Infrastructure Improvement Plan (see Detail "B").	Applicant and City of San Bernardino Traffic Engineering	During construction	Tentative Map and Specific Plan Infrastructure Improvement Plan	
A traffic study to assess impacts of Long-Term development at the I-215/Palm Avenue and I-125/Devore Road interchange will be completed prior to approval of the Parcel Maps for the Long-Term phase of the industrial development, or prior to approval of any development that will put the projected trip generation over 10,000 ADT.	Applicant and City of San Bernardino Traffic Engineering	In conjunction with development review process for Development Permit(s)	Traffic Study	
The San Bernardino City Traffic Engineer will be consulted to ensure that traffic safety impacts are given primary consideration in the construction, maintenance and operation of all highway improvements.	Applicant and City of San Bernardino Traffic Engineering	Prior to and during construction	Specific Plan Infrastructure Improvement Plan	
Palm Avenue shall be restriped between Cajon Boulevard and the I-215 freeway, if warranted in accordance with requirements of the City Engineer, in order to accommodate four lanes of traffic.	Applicant and City of San Bernardino Traffic Engineering	As required by the City	Specific Plan Infrastructure Improvement Plan	
The use of Cajon Boulevard south of the Cable Creek Channel by aggregate truck traffic shall be limited to use for local deliveries.	Applicant	During mining operations	CUP and Specific Plan	

TABLE 1-1 (Continued)

Mitigation Monitoring/Reporting Program

4.8 Visual Resources

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
As phased mining activities progress, previously extracted areas shall be concurrently reclaimed, and revegetated with indigenous plant materials in conformance with the Reclamation Plan Revegetation Plan.	Applicant	During Reclamation Plan Phasing	Reclamation Plan Progress Report and Annual Inspection Form	
Aggregate processing equipment shall be low profile or visually screened whenever practical in order to minimize views of this equipment.	Applicant	In conjunction with developmental review process for CUP	CUP	
Aggregate plant site structures, such as crushers, conveyor systems, and processing facilities, shall be painted with one or more non-intrusive colors that blend into the surrounding landscape.	Applicant	In conjunction with developmental review process for CUP	CUP	
All lighting for mining and processing facilities shall be directed on-site and shall be downward-oriented to provide direct lighting in the immediate area so that potential glare effects upon surrounding land uses are reduced.	Applicant	In conjunction with developmental review process for CUP	CUP	
Landscape screening shall be used along portions of the western boundary of the project area to visually buffer views from sensitive viewers along Cajon Boulevard in accordance with Specific Plan Design Guidelines.	Applicant	In conjunction with developmental review process for Development Permit(s) and/or CUP	Development Permit(s) and/or CUP	
If the planned light industrial developments within Planning Areas E and K, proposed to buffer extractive operations in Planning Areas F and L, are not developed prior to commencement of extractive operations, earthen berms and/or landscape screen vegetation shall be used to accomplish visual buffering until the developments are constructed.	Applicant	In conjunction with developmental review process for Development Permit(s) and/or CUP	Development Permit(s) and/or CUP	

TABLE 1-1 (Continued)

Mitigation Monitoring/Reporting Program

4.9 Cultural and Historic Resources

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
If, during grading, any prehistoric archaeological or historic archaeological or architectural remains over 50 years old are unearthed, construction activities in the immediate area should cease until a qualified archaeologist is brought in to assess and evaluate the significance of the resources. If a resource is determined to be significant, recommendations as to alternative mitigation measures would then be made following consultation with the State Historic Preservation Office (SHPO). In order to mitigate adverse effects on cultural resources determined to be significant, measures would be developed and implemented, i.e., preservation in-place data recovery (including reports), reclamation, relocation, designation as environmentally sensitive areas, and other physical and administrative measures.	Applicant and Qualified Archaeologist	During development grading	Incident report from archaeologist	

TABLE 1-1 (Continued)

Mitigation Monitoring/Reporting Program

4.10 Hazardous Materials

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
All underground fuel or oil storage tanks and piping will be double-walled and contain leak detection equipment, overfill and spill protection. No bulk storage of fuels or oils in the effective 100 year floodplain will be permitted. Valid operating permits will be obtained from the County Hazardous Materials Management Division (HMMD).	HMMD and Applicant	In conjunction with developmental review process for Development Permit(s) and/or CUP and during operation	Business Plan	
Waste oil tanks will be emptied on a regular basis by an oil recycler.	HMMD and Applicant	During operation	Business Plan	
Above-ground asphalt oil storage tanks will be protected by a containment berm to provide protection in the event of a spill. The containment berm shall be capable of holding 150 percent of the combined capacities of the tanks.	HMMD and Applicant	In conjunction with developmental review process for Development Permit(s) and during operation	Business Plan	
Fuel dispensing areas will contain spill catchment features.	HMMD and Applicant	In conjunction with developmental review process for Development Permit(s) and during operation	Business Plan	
Greases and lubricating oils will be stored in drums on a concrete pad having spill containment.	HMMD and Applicant	In conjunction with developmental review process for Development Permit(s) and during operation	Business Plan	
Solvents will only be used for parts cleaning and will be kept in a fully-contained system that recycles spent solvent.	HMMD and Applicant	In conjunction with developmental review process for Development Permit(s) and during operation	Business Plan	

TABLE 1-1 (Continued)
Mitigation Monitoring/Reporting Program

4.10 Hazardous Materials

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
Liquid concrete additives, where possible, will be purchased in bulk quantities in order to reduce the number of containers on site at any given time; these materials will be stored separately from petroleum products, in an area having spill containment.	HMMD and Applicant	In conjunction with developmental review process for Development Permit(s) and during operation	Business Plan	
CalMat will self-insure its financial responsibility for accidents and spills, clean-ups and damages to third parties, as required by the EPA.	Applicant	Prior to and during operation	Business Plan	
A Business Plan will be developed in compliance with Chapter 6.95 of the California Health and Safety Code to assure that emergency service personnel and employees are able to respond effectively to potential problems presented by an accident or emergency. The Business Plan will be submitted to the County of San Bernardino Health Services Risk Management Division, and to the City of San Bernardino Fire Department, at least 45 days prior to operation. A copy of the Business Plan will be maintained at the subject property.	HMMD and Applicant	Prior to occupancy and during operation	Business Plan	
An Authority to Construct and Permit to Operate will be secured from SCAQMD as required, in order to assure that proper compliance with all applicable air quality regulations is achieved.	SCAQMD	Prior to construction and operation	Permit to Operate	
A Waste Discharge permit will be secured from the Regional Water Quality Control Board to assure that all water quality requirements are met.	RWQCB	Prior to construction and operation	Permit to Operate and Section 401 Certification	

TABLE 1-1 (Continued)

Mitigation Monitoring/Reporting Program

4.11 Public Services and Utilities

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
<u>Fire Protection:</u> Delivery of an adequate volume of water to the site shall be accomplished to meet fire flow requirements.	City of San Bernardino Fire Department and SBMWD	Prior to Final Map Approval	Final Map	
CalMat shall comply with the City of San Bernardino policies for fire service as they relate to new development projects, which may include a pro rated fee to pay for additional fire service protection to the project.	Applicant	Life of Project	Annual Reporting for Compliance for MM/RP	
<u>Water Supply:</u> A commitment to provide water service to the CalMat Cajon Creek Specific Plan project, in the form of a "will serve" letter, shall be obtained from the SBMWD as part of project approval.	Applicant	In conjunction with developmental review process for Development Permit(s)	"Will serve" letter	
The developer shall comply with the Rules and Regulations of the Water Department in effect at the time water service is requested.	SBMWD	Prior to Final Map Approval	Final Map	
Water facilities shall be designed and installed in accordance with the requirements of the San Bernardino Municipal Water Department.	SBMWD	Prior to Final Map Approval	Final Map	

TABLE 1-1 (Continued)

Mitigation Monitoring/Reporting Program

4.11 Public Services and Utilities

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
Prior to final map approval, a detailed design of the on-site water production, transmission, storage and distribution network shall be completed to the satisfaction of the Water Department. The design of the facilities shall meet the industrial and fire demand requirements of the Water Department and the City of San Bernardino and shall meet the minimum requirements of the California Health and Safety Code and the California Water Code for domestic water systems.	SDMWD	Prior to Final Map Approval	Final Map	
The developer shall be responsible for the construction of onsite improvements and a proportionate share of the offsite facilities required to serve the project.	Applicant	In conjunction with developmental review process for Development Permit(s) and prior to construction	Development Permit(s) and Specific Plan Infrastructure Improvement Plan	
The project developer shall fund the Water Department's detailed design of off-site water system enhancements necessary to provide water service to the CalMat Cajon Creek Specific Plan in accordance with the Water Department's master plan.	Applicant	In conjunction with developmental review process for Development Permit(s) and Landscape Plan	Development Permit(s)	
To reduce incremental region-wide impacts to the water supply of San Bernardino County, conservation measures shall be implemented; i.e., the Specific Plan Design Guidelines identifies the use of xerophytic (drought-tolerant) plants for landscaping.	Applicant	In conjunction with developmental review process for Development Permit(s)	Development Permit(s) and a landscape plan	
Aggregate processing wastewater shall be clarified on-site and recycled for aggregate processing operations where feasible to minimize consumption.	Applicant	During operations	Specific Plan, CUP and Annual Reporting Compliance for MM/RP	

TABLE 1-1 (Concluded)

Mitigation Monitoring/Reporting Program

4.11 Public Services and Utilities

Mitigation Measure	Reporting Responsibility	Timing	Monitoring and Reporting Documentation	Completed (By/Date)
<p><u>Utility Structures and Easements:</u></p> <p>Prior to mining in Planning Area P, the location of the CalNev petroleum pipeline will be surveyed, and either the west side of excavation will be set back 100 feet from the pipeline; or, the pipeline will be relocated.</p> <p>If it is necessary to relocate the pipeline, protection of the petroleum pipeline shall be in accordance with CalNev policies for the protection of the pipeline during relocation.</p>	Applicant and CalNev	In conjunction with developmental review process for CUP prior to mining	Survey and delineation of pipeline location	
	Applicant and CalNev	Prior to mining	Statement of approval from CalNev	

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4.0 MITIGATION MONITORING AND REPORTING PLAN

CEQA Section 21081.6 requires adoption of a Mitigation Monitoring and Reporting Plan (MMRP) for those measures or conditions placed on the Project to mitigate or avoid adverse effects on the environment. The law states that the MMRP shall be designed to ensure compliance during Project implementation. When implemented, environmental effects associated with the Project will be reduced or eliminated.

The MMRP has been prepared as a matrix containing the following elements:

- Measures that would mitigate significant impacts on the environment are recorded with the action and the procedure necessary to ensure compliance.
- A procedure of compliance and verification is outlined for each measure. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
- The MMRP is designed to provide focused, yet flexible guidelines. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the MMRP.

The MMRP will be in place through all phases of the Project. The County planner, assigned to the Project by the County Planning Director, shall coordinate enforcement of the MMRP and oversee it to ensure that proper action is taken on each mitigation measure.

The Project planners or responsible County departments have the authority to stop the work of the operator if compliance with aspects of the MMRP are not occurring after written notification has been issued.

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Table 4-1 Mitigation Monitoring and Condition Compliance Program

Environmental Impact	Mitigation Measures	Compliance/Monitoring Procedure	Responsible Department
BIOLOGICAL RESOURCES			
<p>Impact BIO-1: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</p>	<p>Mitigation Measure BIO-1: If determined necessary, consult with the California Department of Fish and Wildlife (CDFW) prior to the removal of any raptor nest on the Project site, if found.</p> <p>Mitigation Measure BIO-2: If ground disturbance and vegetation removal cannot occur outside of the nesting season, a preconstruction clearance survey for nesting birds should be conducted within thirty (30) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction.</p> <p>The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the preconstruction clearance survey, construction activities should stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer is expanded to 500-feet. It is recommended that a biological monitor be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can occur.</p>	<p>BIO-1: Per Project Design Feature (PDF) No. 28, Vulcan shall conduct wildlife/plant awareness training programs for employees (including new employee orientation and annual refresher trainings). The program shall also address sightings of occupied raptor nests on or near the facility and how to properly report to the County and CDFW. CDFW shall provide assistance in developing the training program, if needed.</p> <p>If Vulcan employees discover a potential raptors nest on or near the facility, a qualified biologist shall conduct pre-construction surveys for nesting raptors and oversee avoidance of active nests during mining activities.</p> <p>If nests are found within identified ranges, the CDFW shall be contacted. The qualified biologist, in consultation with the CDFW, shall determine the appropriate course of action under applicable State law.</p> <p>BIO-2: Qualified biologist will conduct pre-construction surveys for nesting migratory birds and raptors during the nesting bird season (generally from early February through August) and oversee avoidance of active nests during construction and ground disturbance activities. Nesting bird surveys shall be conducted within thirty (30) days of the start of any vegetation removal or ground disturbing activities.</p> <p>If nests are found within identified ranges, the CDFW shall be contacted. The qualified biologist, in consultation with the CDFW, shall determine the appropriate course of action under applicable State law.</p>	<p>San Bernardino County, Land Use Services Department, Planning Division</p> <p>California Department of Fish and Wildlife</p>
CULTURAL RESOURCES			

Environmental Impact	Mitigation Measures	Compliance/Monitoring Procedure	Responsible Department
<p>Impact CUL-1: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?</p>	<p>Mitigation Measure CUL-1: Prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a cultural resources professional that meets the U.S. Secretary of the Interior Professional Qualification Standards for Archaeology (a qualified archaeologist) should be retained to assess the significance of the find. The qualified archaeologist would have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing in the California Register of Historical Resources or the National Register of Historic Places, plans for the treatment, evaluation, and mitigation of impacts to the find would be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:</p> <ul style="list-style-type: none"> • historic artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects; • historic structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements; • prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates; • groundstone artifacts, including mortars, pestles, and grinding slabs; • dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks. 	<p>CUL-1: Per Project Design Feature (PDF) No. 28, Vulcan shall conduct cultural resource awareness training programs for employees (including new employee orientation and annual refresher trainings). If needed, a qualified archeologist shall provide assistance in developing the training program.</p> <p>In the event field personnel encounter potential buried cultural materials, operations will immediately divert work at a minimum of 150-feet and place an exclusion zone around the discovery location. A qualified archaeologist will be retained to assess the significance and provide direction.</p> <p>If such finds are found the San Bernardino County Land Use Services Department shall be notified.</p>	San Bernardino County, Land Use Services Department, Planning Division
<p>Impact CUL-2: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</p>	<p>Mitigation Measure CUL-1</p>	See Above	See Above

Environmental Impact	Mitigation Measures	Compliance/Monitoring Procedure	Responsible Department
Impact CUL-3: Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?	Mitigation Measure CUL-2: If human remains are encountered during Project operations, per State Health and Safety Code Section 7050.5, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.	CUL-2: Per Project Design Feature (PDF) No. 28, Vulcan shall conduct cultural resource awareness training programs for employees (including new employee orientation and annual refresher trainings). If potential human remains are encountered during Project operations, operations will immediately divert work at a minimum of 150-feet and place an exclusion zone around the discovery location. The San Bernardino County Coroner shall be contacted immediately in order to assess the remains and to determine the correct action. If the coroner has reason to believe that the remains are of Native American origin, he or she will contact the NAHC by telephone within 24 hours. If Native American remains are discovered, an agreement shall be executed between the operator/landowner and NAHC regarding treatment of burial items and unanticipated human remains.	San Bernardino County, Land Use Services Department, Planning Division San Bernardino County Coroner Native American Heritage Commission (NAHC)
GEOLOGY AND SOILS			

Environmental Impact	Mitigation Measures	Compliance/Monitoring Procedure	Responsible Department
<p>Impact GEO-1: Would the Project expose people or structures to potential substantial adverse effects, involving the risk of loss, injury, or death involving:</p> <ul style="list-style-type: none"> I. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Map issued by the State Geologist for the area or based on other substantial evidence of known fault; II. Strong seismic ground shaking; III. Seismic-related ground failure, including liquefaction; or IV. Landslides? 	<p>Mitigation Measure GEO-1: Should there be areas along slopes where alluvial materials are loose, and/or there is evidence of dislodgement, the operator will install a soil catchment berm at least 10-feet from the toe of the slope in those areas, as needed, to prevent falling coarse materials from rolling out into the quarry bottom.</p> <p>Mitigation Measure GEO-2: Approximately every 12 to 18 months during active mining, a California Certified Engineering Geologist (CEG) will observe exposed cut faces of the mining operation in Area Q for evidence of the Fault, and if warranted assess the potential for surface rupture and/or slope failure.</p>	<p>GEO-1: In the event there is evidence of dislodgement, Vulcan shall install a soil catchment berm at least 10-feet from the bottom of slopes in areas where there is evidence of loose alluvial materials or clast dislodgement.</p> <p>GEO-2: Approximately every 12 to 18 months during active mining, a California Certified Engineering Geologist (CEG) will be retained by Vulcan to observe exposed cut faces of the mining operation in Area Q for evidence of the Fault, and, if warranted, assess the potential for surface rupture and/or slope failure</p> <p>Reports of seismic events and subsequent geotechnical evaluations, if any were warranted, shall be part of the annual monitoring report prepared and submitted to the County, and/or California Department of Conservation. In addition, documentation demonstrating compliance with the identified seismic slope stability requirements shall be maintained onsite and provided to the County upon request.</p>	San Bernardino County, Land Use Services Department, Planning Division
<p>Impact GEO-4: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<p>Mitigation Measure GEO-3: Site workers will be trained and instructed to stop working in the immediate area upon discovery of a vertebrate fossil. A County of San Bernardino Qualified Paleontologist will be contacted to examine the vertebrate remains and recommend and implement appropriate measures to curate the fossil materials, if warranted.</p>	<p>GEO-3: Per Project Design Feature (PDF) No. 28, Vulcan shall conduct paleontological resource awareness training programs for employees (including new employee orientation and annual refresher trainings). If needed, a qualified archaeologist/paleontologist shall provide assistance in developing the training program.</p> <p>In the event field personnel encounter potential buried paleontological materials, earthmoving activities shall cease in the immediate area of the find and a qualified archaeologist/paleontologist will be retained to assess the significance and provide direction.</p> <p>If such finds are found the San Bernardino County Land Use Services Department shall be notified.</p>	San Bernardino County, Land Use Services Department, Planning Division

Environmental Impact	Mitigation Measures	Compliance/Monitoring Procedure	Responsible Department
NOISE AND VIBRATION			
Impact NO-1: Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Mitigation Measure NO-1: Topsoil/subsoil removal and berm construction activities shall only occur between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday as defined by Section 83.01.080(g)(3)-Exempt Noise of the San Bernardino County Code of Ordinances.	NO-1: Prior to commencement of normal operations, Vulcan shall install the approximately 10-foot high berm along the southern boundary of the Project site. Berm construction shall occur between the hours of 7:00 a.m. and 7:00 p.m. except Sundays and Federal holidays in accordance with Section 83.01.080(g)(3) of the San Bernardino County Development Standards. Compliance with this mitigation will be verified through annual County Mine Inspections.	San Bernardino County, Land Use Services Department, Planning Division
TRIBAL CULTURAL RESOURCES			

<p>Impact TCR-1: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <p>I. Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?</p> <p>II. Would the Project cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?</p>	<p>Mitigation Measure TCR-1: Prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried historical or TCR deposits. Consistent with CEQA Guidelines Section 15064.5(f), in the event that field personnel encounter buried TCR materials, work in the immediate vicinity of the find should cease and a tribal consultant and/or a qualified archaeologist that meets the U.S. Secretary of the Interior Professional Qualification Standards for Archaeology will be retained to assess the significance of the find and notify the appropriate Tribes. The qualified archaeologist will have the authority to stop or divert construction excavation as necessary.</p> <p>Mitigation Measure TCR-2: Upon discovery of human remains, the operation will immediately divert work at minimum of 150-feet and place an exclusion zone around the discovery location. The operator shall notify the County coroner pursuant to Public Resources Code (PRC) §5097.98 and State Health and Safety Code §7050.5. Work will continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendant (MLD).</p> <p>Mitigation Measure TCR-3: If the Gabrieleño Band of Mission Indians – Kizh Nation is designated MLD, the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.</p> <p>If the San Manuel Band of Mission Indians is designated MLD in accordance with the legal process noted in Mitigation Measure CUL-2 presented in Section 3.4 – Cultural Resources, the MLD will work with the Coroner, NAHC, landowner, and Lead Agency regarding culturally appropriate practices and recommended next steps.</p> <p>Mitigation Measure TCR-4: Prior to the continuation of ground disturbing activities, the land owner shall confer with the MLD tribe for the respectful reburial of the human remains and/or</p>	<p>TCR-1: Per Project Design Feature (PDF) No. 28, Vulcan shall conduct tribal cultural resource awareness training programs for employees (including new employee orientation and annual refresher trainings).</p> <p>In the event field personnel encounter potential buried tribal cultural materials, earthmoving activities shall cease in the immediate area of the find and a qualified archaeologist will be retained to assess the significance and provide direction.</p> <p>If the qualified archaeologist has reason to believe that the remains are of Native American origin, he or she will contact the NAHC by telephone within 24 hours. The San Bernardino County Land Use Services Department shall also be notified.</p> <p>TCR-2: See Mitigation Measure CUL-2 above. If potential human remains are encountered during Project operations, earthmoving activities shall cease in the immediate area of the find. The San Bernardino County Coroner shall be contacted immediately in order to assess the remains and to determine the correct action.</p> <p>If the coroner has reason to believe that the remains are of Native American origin, he or she will contact the NAHC by telephone within 24 hours.</p> <p>If Native American remains are discovered, an agreement shall be executed between the operator/landowner and NAHC regarding treatment of burial items and unanticipated human remains.</p> <p>TCR-3 through TCR-8: See TCR-1 and TCR2 above.</p>	<p>San Bernardino County, Land Use Services Department, Planning Division</p> <p>San Bernardino County Coroner</p> <p>Native American Heritage Commission (NAHC)</p>
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	<p>ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The MLD tribe will make every effort to recommend diverting the Project and keep the remains in situ and protected, and the landowner/applicant shall make every effort to comply with these recommendations. If the Project cannot be diverted, it may be determined that burials will be removed. The MLD tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically, and respectfully. If data recovery is approved by the MLD tribe, documentation shall be taken that includes, at a minimum, detailed descriptive notes and sketches. Additional types of documentation shall only occur once approved by the MLD tribe for data recovery purposes. Cremations will either be removed in bulk or by any means necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the MLD tribe and the NAHC. The tribes do not authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.</p> <p>Each occurrence of human remains and associated funerary objects that requires data recovery will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects, and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within 6 months of recovery. The landowner shall confer with the MLD tribe regarding the site of reburial/repatriation to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p> <p>Mitigation Measure TCR-5: Upon discovery of any tribal cultural or archaeological resources, construction activities shall cease within the immediate vicinity of the find (60-foot buffer) until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist, by a member of the Gabrieleño Band of Mission Indians – Kizh Nation, and a member of the San Manuel Band of Mission Indians Cultural Resources Department. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians – Kizh Nation and San Manuel Band of Mission Indians shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the tribe will request preservation in place or reburial onsite, though will recommend data recovery for educational purposes if other options are exhausted. Work may continue on other parts of the Project while evaluation and, if necessary, additional protective mitigation takes place (CEQA Guidelines Section 15064.5(f)). If a resource is determined by the</p>	
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Environmental Impact	Mitigation Measures	Compliance/Monitoring Procedure	Responsible Department
	<p>qualified archaeologist to constitute a “historical resource” or “unique archaeological resource”, time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available.</p> <p>Mitigation Measure TCR-6: For unique archaeological resources, preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. All analysis proposals will be reviewed and approved by the consulting Tribes. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials within the County, if such an institution agrees to accept the material. If no institution accepts the archaeological material that is not Native American in origin, they shall be offered to the Gabrieleño Band of Mission Indians – Kizh Nation or a local school or historical society in the area for educational purposes.</p> <p>Mitigation Measure TCR-7: Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. 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, he or she shall contact, by telephone within 24 hours, the NAHC and PRC 5097.98 shall be followed. More details on this process can be found in Mitigation Measure CUL-2 (see Section 3.4 – Cultural Resources).</p> <p>Mitigation Measure TCR-8: Archaeological and Native American consultant’s management of TCRs during the Project excavations will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. The Archaeologist must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The qualified archaeologist shall ensure that all other personnel associated with TCRs are appropriately trained and qualified.</p>		