

PEN24-0075 Cottonwood Apartments
 Initial Study/Mitigated Negative Declaration
 Mitigation Monitoring and Reporting Program

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor signature required and date of compliance
Biology Resources				
<p>MM-BIO-1: If construction occurs between February 1 and August 31, a qualified biologist must conduct a birdnesting bird survey no more than three days prior to the start of construction to determine if nesting is occurring. If occupied nests are found, they shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying and incubation; or (b) the juveniles from the occupied nests are capable of independent survival.</p> <p>If the biologist is not able to verify one of the above conditions, then no disturbance shall occur within a distance specified by the qualified biologist for each nest or nesting site. The qualified biologist will determine the appropriate distance in consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service.</p> <p>Pre-construction surveys for BUOW shall be conducted no more than three (3) days prior to commencement of project-related ground disturbance to verify that BUOW remains absent from the project Area.</p>	Project Applicant	Prior to grading permit issuance	Planning Division	
<p>MM-BIO-2: If all work cannot be conducted outside of nesting season, a project specific BUOW protection and/or passive relocation plan can be prepared to determine suitable buffers and/or artificial burrow construction locations. Regardless of survey results and conclusions given herein, BUOW are protected by applicable state and federal laws. As such, if a BUOW is found on-site at the time of construction, all activities likely to affect the animal(s) shall cease immediately and regulatory agencies shall be contacted to determine appropriate management actions.</p>	Project Applicant	Prior to grading permit issuance	Planning Division	
<p>MM-BIO-3: If all work cannot be conducted outside of nesting season, a qualified Avian Biologist shall conduct pre-construction nesting bird surveys prior to Project-related disturbance to suitable nesting areas to identify any active nests. If no active nests are found, no further action would be required. If an active nest is found, the biologist shall set appropriate no-work buffers around the nest which would be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity and duration of disturbance. The nest(s) and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.</p>	Project Applicant	Prior to grading permit issuance	Planning Division	

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Cultural Resources				
<p>MM-CUL-1 Archaeological Monitoring. Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during project construction. The project Archaeologist, in consultation with the Consulting Tribes, the contractor, and the City, shall develop a CRMP as defined in MM-CUL-3. The project archaeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.</p>	Project Applicant	Prior to grading permit issuance	Planning Division	
<p>MM-CUL-2 Native American Monitoring. Prior to the issuance of a grading permit, the Developer shall secure agreements with the Consulting Tribes, Pechanga Band of Mission Indians, for tribal monitoring. The Developer is also required to provide a minimum of 30 days' advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the project Archaeologist, City, the construction manager and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p>	Project Applicant	Prior to grading permit issuance	Planning Division	
<p>MM-CUL-3 Cultural Resource Monitoring Plan (CRMP). The project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB52 tribal consultation process for the project, has not opted out of the AB52 consultation process, and has completed AB52 consultation with the City as provided for in California Public Resources Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a. Project description and location. b. Project grading and development scheduling. c. Roles and responsibilities of individuals on the Project. d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details. e. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation. f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items. g. Contact information of relevant individuals for the Project. 	Project Applicant	Prior to certificate of compliance	Planning Division	
<p>MM-CUL-4 Cultural Resource Disposition. In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p>	Project Applicant	Prior to certificate of compliance	Planning Division	

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<p>a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:</p> <p>i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.</p> <p>ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. 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 as defined in CR-3. The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.</p>				
<p>MM-CUL-5. The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground-disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."</p>	Project Applicant	Prior to grading permit issuance	Planning Division	
<p>MM-CUL-6 Inadvertent Finds. If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground-disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologists and Tribal Monitors if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</p>	Project Applicant	Prior to certificate of compliance	Planning Division	
<p>MM-CUL-7 Human Remains. If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a</p>	Project Applicant	Prior to certificate of compliance	Planning Division	

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<p>reasonable opportunity to identify the “most likely descendant”. The “most likely descendant” shall then make recommendations and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA). No photographs are to be taken except by the coroner, with written approval by the consulting Tribe(s).</p>				
<p>MM-CUL-8 Non-Disclosure of Reburial Locations. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods 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, pursuant to the specific exemption set forth in California Government Code 6254 (r).</p>		<p>Prior to certificate of compliance</p>	<p>Planning Division</p>	
<p>MM-CUL-9 Archeology Report – Phase III and IV. If required for the Project, prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department’s requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the South Costal Information Center (SCIC) at the San Diego State University (SDSU) and one (1) copy shall be submitted to each of the Consulting Tribe(s) Cultural Resources Department(s).</p>	<p>Project Applicant</p>	<p>Prior to certificate of compliance</p>	<p>Planning Division</p>	
<p>Geology and Soils</p>				
<p>MM-PALEO-1: The project shall retain a qualified paleontologist to monitoring ground disturbing activity. Should any paleontological resources (fossils) are discovered during project grading, work shall be halted in that area until a qualified paleontologist can be retained to assess the significance of the find. The project paleontologist shall monitor remaining earthmoving activities at the project Site and shall be equipped to record and salvage fossil resources that may be unearthed. The paleontologist may temporarily halt or divert grading equipment to allow recording and removal of the unearthed resources. Any fossils found shall be evaluated in accordance with the CEQA Guidelines and offered for curation at an accredited facility approved by the City of Moreno Valley. Once grading activities have ceased or the paleontologist determines that monitoring is no longer necessary, monitoring activities shall be discontinued. This measure shall be implemented to the satisfaction of the City Planning Division.</p>	<p>Project Applicant</p>	<p>Prior to grading permit issuance</p>	<p>Planning Division</p>	
<p>Hydrology and Water Quality</p>				
<p>MM-HYDRO-1: The applicant shall mitigate the increase in stormwater runoff generated by the project through the construction of five on-site detention basins with a combined storage capacity of up to 9,795 cubic feet. These basins shall be in accordance with the approved grading and drainage plans and shall be subject to review and approval by the City of Moreno Valley Public Works Department to ensure compliance with applicable hydrologic design standards</p>	<p>Project Applicant</p>	<p>Prior to grading permit issuance</p>	<p>Building and Safety Division</p>	

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Noise				
MM-NOISE -1: The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. (Approximately 3 dBA of estimated reduction)	Project Applicant	Prior to grading permit issuance	Building and Safety Division	
MM-NOISE -2: A construction site notice shall be provided that includes the job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public.	Project Applicant	Prior to grading permit issuance	Building and Safety Division	
MM-NOISE -3: Within 2 feet of the property line, construction equipment shall not utilize construction equipment that exceeds PPV at 25 ft, in/sec of 0.035.	Project Applicant	Prior to grading permit issuance	Building and Safety Division	
MM-NOISE- 4: No idling signs shall be posted along the perimeter wall/fence.		Prior to grading permit issuance		
MM- NOISE-5: To reduce noise transmission, 6-foot-tall CMU (Concrete Masonry Unit) block wall will be installed along the property boundary. These walls will act as a physical barrier to attenuate noise, helping to minimize sound impacts on nearby noise-sensitive areas.		Prior to grading permit issuance		
Tribal Cultural Resources				
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