

EXHIBIT A - MITIGATION MONITORING AND REPORTING PROGRAM

A.1 STATUTORY REQUIREMENTS

The purpose of this program is to identify the changes to the project, which the Lead Agency has adopted or made a condition of a project approval, in order to mitigate or avoid significant effects on the environment. The City of Victorville is the Lead Agency that must adopt the mitigation monitoring and reporting program. Section 21069 of the California Environmental Quality Act (CEQA) statute defines Responsible Agency as a public agency, other than the Lead Agency, which has the responsibility for carrying out or approving a project.

CEQA statutes and Guidelines provide direction for clarifying and managing the complex relationships between a Lead Agency and other agencies with respect to implementing and monitoring mitigation measures. In accordance with CEQA Guidelines Section 15091(d) “when making the findings required in subdivision (a)(1) of CEQA, the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.” Furthermore, Section 15097.d states “each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise.” This discretion will be exercised by implementing agencies at the time they undertake any of the individual improvement projects identified in the Draft IS/MND.

TABLE A-1

IMPACT(S)	MITIGATION MEASURE (S)	TIMING OF IMPLEMENTATION	RESPONSIBLE AGENCY OR PARTY
<p>BIO-d: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p>	<p>BIO-1: If construction (including ground-disturbing activities and vegetation trimming and/or removal) would occur during the nesting bird season (1 January to 15 September), a qualified biologist shall conduct preconstruction nesting bird surveys within 30 days of construction start-up and continuing weekly up to three days before startup. The survey area shall include the Project area (disturbance footprint) and a surrounding 300-foot buffer area. Active bird nests shall be protected by installation of temporary physical barriers that define a buffer area of 100 feet surrounding each nest. Buffer size may be reduced or increased based on the bird species present and on the advice of the qualified biologist (e.g., smaller buffer for songbirds, larger buffer for raptors). In no case shall buffers be less than 50 feet. No construction work, equipment, or personnel shall enter the buffer area. Protective buffers shall remain in place until the biologist determines that the nest(s) are no longer active, and the chicks have permanently fledged (left the nest) and a second nesting attempt has not begun.</p>	<p>✓ Prior to construction</p>	<p>✓ Developer</p>
<p>CUL-a: Cause a substantial adverse change in the significance of a historical resource, pursuant to California Code of Regulations, § 15064.5?</p> <p>CUL-b: Cause a substantial adverse change in the significance of an archaeological resource, pursuant to California Code of Regulations, § 15064.5?</p> <p>CUL-c: Disturb any human remains, including those interred outside of formal cemeteries?</p> <p>TCR-ai: 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 § 5020.1(k)?</p> <p>TCR-aii: A 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?</p>	<p>CUL-1: Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement, construction excavation, excavation for utility and irrigation lines, and landscaping), and prior to the issuance of grading permits, the Applicant shall retain a qualified archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). Development of a Monitoring Plan may be required should any evidence of archaeological deposits be found.</p> <p>CUL-2: Prior to any ground disturbance, the archaeologist will conduct Cultural Resource Sensitivity Training, in conjunction with the appropriate Tribe[s] Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.</p> <p>CUL-3: Prior to any ground-disturbing activities, the Project archaeologist shall develop a Cultural Resource Management Plan (CRMP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the Project site. This Plan shall be written in consultation with the consulting Tribe(s) and shall include the following: approved Mitigation Measures and procedures to be followed, contact information for all pertinent parties, parties' responsibilities, and an overview of the Project schedule.</p> <p>CUL-4: The Project area will be re-surveyed by a qualified archeologist during vegetation removal and grubbing to identify any archaeological materials on the surface of the site that may not have been visible during the initial survey. During all ground-disturbing activities, the qualified archaeologist shall be on-site full-time as well as the Native American monitor, if available. Archaeological and TCR monitoring can be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.</p> <p>CUL-5: In the event that cultural resources are exposed during construction, work in the immediate vicinity of the find (within a 60-foot buffer) must stop until a qualified archaeologist can evaluate the significance of the find. Construction activities may continue in other areas. The tribal monitor or representative shall be contacted regarding any pre-contact and/or historic-era cultural resources discovered during Project construction and shall be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to Tribal representatives for review and comment.</p> <p>CUL-6: If human remains or funerary objects are encountered during any ground disturbing activities, work in the immediate vicinity (within a 100 foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code § 7050.5. The area around the find shall be protected and personnel/observers will be restricted. No photographs are to be taken except by the coroner. If the human remains are determined to be prehistoric, the coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 24 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.</p>	<p>✓ Prior to issuance of grading permits</p> <p>✓ Monitoring on-site during construction</p>	<p>✓ Developer</p>

TABLE A-1

IMPACT(S)	MITIGATION MEASURE (S)	TIMING OF IMPLEMENTATION	RESPONSIBLE AGENCY OR PARTY
<p>GEO-f: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<p>GEO-1: Retain a Society of Vertebrate Paleontology (SVP)-qualified Paleontologist to oversee implementation of paleontological mitigation and to obtain a curation agreement with an accredited repository prior to the start of construction activities.</p> <p>GEO-2: Conduct worker training to educate the construction crew on the legal requirements and procedures to follow in the event of a fossil discovery.</p> <p>GEO-3: Have an SVP-qualified paleontological monitor conduct full-time paleontological monitoring during ground-disturbing activities that have the potential to impact previously undisturbed sediments (earthwork impacting only previously disturbed sediments should not need to be monitored regardless of depth).</p> <p>GEO-4: Prepare a paleontological resources monitoring report upon the conclusion of ground-disturbing activities to document the paleontological monitoring efforts for the project and to describe any discoveries observed and/or recorded. If paleontological resources are curated, submit the final monitoring report and any associated data pertinent to the curated specimen(s) to the designated repository.</p>	<p>✓ Prior to construction</p> <p>✓ Duration of construction</p>	<p>✓ Developer/contractor</p>
<p>TCR-a.i: 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 § 5020.1 (k)?</p> <p>TCR-a.ii: A 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?</p>	<p>TCR-1: Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Agreement with the appropriate tribal representative for the Project. Arrangements will be made such that the Tribal Monitor may be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.</p> <p>TCR-2: All archaeological/cultural documents created as a part of the project (CRMP, isolate records, site records, survey reports, testing reports, final report, etc.) shall be submitted to the Lead Agency and Consulting Tribe(s) for review and comment. After approval of the final report(s) by all involved parties, the final report(s) are to be submitted to the SCCIC and the Consulting Tribe(s).</p>	<p>✓ Prior to issuance of grading permits</p> <p>✓ Monitoring on-site during construction</p>	<p>✓ Developer</p>