

Mitigation Monitoring and Reporting Program
for the
“B” Line Replacement Project

Prepared for:

**Beaumont-Cherry Valley Water
District
560 Magnolia Avenue
Beaumont, CA 92223**

Prepared by:

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INTRODUCTION

CEQA and the State CEQA Guidelines (PRC Section 21081.6 and State CEQA Guidelines Sections 15091[d] and 15097) require public agencies “to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment.” A Mitigation Monitoring and Reporting Program (MMRP) is required for the proposed “B” Line Pipeline Replacement Project because the IS/EA MND identified potential significant adverse impacts related to the project implementation, and mitigation measures have been identified to reduce those impacts. Adoption of the MMRP would occur along with approval of the project.

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed in a satisfactory manner prior to implementation of the proposed ordinance. The attached table has been prepared to assist the responsible parties in implementing the mitigation measures. The table identifies the impact, mitigation measures (as amended through the Final IS/EA MND), monitoring responsibility, mitigation timing, and provides space to confirm implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the IS/EA MND. Mitigation measures that are referenced more than once in the Draft EIR are not duplicated in the MMRP table.

ROLES AND RESPONSIBILITIES

Unless otherwise specified herein, the Beaumont-Cherry Valley Water District (District) is responsible for taking all actions necessary to implement the mitigation measures under its jurisdiction according to the specifications provided for each measure and for demonstrating that the action has been successfully completed.

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The District is responsible for overall administration of the MMRP and for verifying that District staff and construction team members have completed the necessary actions for each measure (i.e., appropriate amendments to the proposed ordinance).

REPORTING

The District shall document and describe compliance with the required mitigation measures either within the attached table or a separate monitoring documentation.

MITIGATION MONITORING AND REPORTING PROGRAM TABLE

The categories identified in the attached MMRP table are described below.

- MMRP No. – the number of the mitigation measure in the table
- IS/EA Section & Resources – the section of the IS/EA where the impact and mitigation measure can be found
- Mitigation Measure – the verbatim text of the adopted mitigation measure
- Pre-Construction – the timing of the mitigation measure to be completed prior to construction.
- Construction - the timing of the mitigation measure to be completed during construction.
- Post-Construction - the timing of the mitigation measure to be completed after the completion of construction.

“B” Line Replacement Project

IS/EA & MND/FONSI Mitigation Monitoring and Reporting Program

MMRP No.	IS/EA Section & Resource	Mitigation Measure	Timing of Implementation and Verification		
			Pre-Construction	Construction	Post-Construction
1	3.4. Biological Resources	<p>BIO-1 Implement MSHCP Standard Best Management Practices (Volume I, Appendix C)</p> <p>The proposed Project shall comply with the Standard BMPs of the MSHCP (Volume I, Appendix C), as follows:</p> <ol style="list-style-type: none"> 1. A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished. 2. Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements. 3. The footprint of disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible. 4. The upstream and downstream limits of projects disturbance plus lateral limits of 	<p>The District shall provide training prior to the commencement of construction and ensure BMPs are in place.</p>		

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		<p>disturbance on either side of the stream shall be clearly defined and marked in the field and reviewed by the biologist prior to initiation of work.</p> <p>5. Projects should be designed to avoid the placement of equipment and personnel within the stream channel or on sand and gravel bars, banks, and adjacent upland habitats used by target species of concern.</p> <p>6. Projects that cannot be conducted without placing equipment or personnel in sensitive habitats should be timed to avoid the breeding season of riparian identified in MSHCP Global Species Objective No. 7.</p> <p>7. When stream flows must be diverted, the diversions shall be conducted using sandbags or other methods requiring minimal instream impacts. Silt fencing of other sediment trapping materials shall be installed at the downstream end of construction activity to minimize the transport of sediments offsite. Settling ponds where sediment is collected shall be cleaned out in a manner that prevents the sediment from reentering the stream. Care shall be exercised when removing silt fences, as feasible, to prevent debris or sediment from returning to the stream.</p> <p>8. Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive</p>			

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		<p>habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials shall be reported to appropriate entities including but not limited to applicable jurisdictional city, FWS, and CDFG, RWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.</p> <p>9. Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.</p> <p>10. The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.</p> <p>11. The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.</p> <p>12. Exotic species that prey upon or displace target species of concern should be permanently removed from the site the extent feasible.</p> <p>13. To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers</p>			

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		<p>and regularly removed from the site(s).</p> <p>14. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.</p> <p>The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these BMPs.</p>			
2	3.4 Biological Resources	<p>BIO-2 Prevent Entrapment of Wildlife. During construction, to prevent entrapment of wildlife, all steep-walled trenches, auger holes, open-ended piping, or other excavations should be covered at the end of each day or completely fenced off at night in such a way that wildlife cannot be entrapped. For open trenches only, these may instead have wildlife escape ramps within the trench maintained at intervals of no greater than 100 feet. These ramps shall have maximum slope not to exceed 2:1.</p>			
3	3.4 Biological Resources	<p>BIO-3 Construction Staging Away from Little San Gorgonio Creek. In all locations of the Project,</p>			

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		<p>construction activities, vehicular traffic (including movement of all equipment), and storage of construction materials shall be restricted to establish construction areas as indicated by flagging, fencing, and/or signage. No equipment should be staged off Edgar Canyon Road to reduce impacts to Little San Geronio Creek.</p>			
4	3.4 Biological Resources	<p>BIO-4 Conduct Nesting Bird Surveys. If Project activities occur during the bird nesting season (i.e., February 1 through September 1), a pre-construction nesting bird survey should be performed by a qualified biologist no more than three days prior to any construction activities to avoid any direct or indirect impacts to active nests and thus ensure compliance with the Migratory Bird Treaty Act (MBTA) and California Fish and Wildlife Code.</p>	<p>The District will verify the nesting bird survey has been performed prior to start of construction, if construction occurs during the nesting bird survey</p>		
5	3.5 Cultural Resources	<p>CULT-1. Archaeological Monitoring. Due to the heightened cultural sensitivity of the proposed project area, an archaeological monitor with at least 3 years of regional experience in archaeology shall be present for all ground-disturbing activities that occur within the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). A sufficient number of archaeological monitors shall be present each work day to ensure that simultaneously occurring ground</p>		<p>The District shall retain a qualified archaeologist to be present on-site during all ground disturbance activities.</p>	

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		<p>disturbing activities receive thorough levels of monitoring coverage. A Monitoring and Treatment Plan that is reflective of the project mitigation (“Cultural Resources” and “Tribal Cultural Resources”) shall be completed by the archaeologist and submitted to the Lead Agency for dissemination to the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI). Once all parties review and approve the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan.</p>			
6	3.5 Cultural Resources	<p>CULT-2. Human Remains. If human remains are encountered, California Health and Safety Code §7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code §5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendants(s)" for purposes of receiving notification of discovery. The most likely descendant(s) shall then make</p>		<p>The District shall inform the Riverside County Coroner in the event human remains are discovered during construction.</p>	

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		recommendations within 48 hours and engage in consultation concerning the treatment of the remains as provided in Public Resources Code §5097.98.			
7	3.6 Geology	<p>GEO-1 Prepare and Implement Storm Water Pollution Prevention Plan (SWPPP). Prior to issuance of a Grading or Building Permit, and as part of compliance with the NPDES requirements, a Notice of Intent shall be prepared and submitted to the Santa Ana Regional Water Quality Control Board (RWQCB) providing notification and intent to comply with the State of California General Construction Permit. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the “maximum extent practicable.” All recommendations in the Plan shall be implemented during area demolition/preparation, grading, and construction. The Project shall comply with each of the recommendations detailed in the Plan to mitigate potential storm water runoff impacts. Construction Best Management Practices (BMPs) included in the Plan, shall include but not be limited to:</p> <ul style="list-style-type: none"> • Construction waste shall be disposed of properly in accordance with applicable federal, state and local regulations. Use appropriately labeled recycling bins to recycle construction materials including solvents, water-based paints, vehicle 	The District will obtain a Notice of Intent for the SWPPP from Regional Water Quality Control Board prior to start of construction.	The District will implement SWPPP during construction.	

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		<p>fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.</p> <ul style="list-style-type: none"> • Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains. • Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible. • Dumpsters shall be covered and maintained. • Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and the tracking of sediment into streets shall be limited. • Vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains or exposed soils. Major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills. • Regularly water newly graded areas and exposed dirt stockpiles; • Follow Project SWPPP procedures to prevent sediment and nuisance runoff from entering the drainage. 			
8	3.6 Geology	<p>GEO-2. Paleontological Resources. If unanticipated paleontological resources are unearthed during construction excavations, the contractor shall cease all earth-disturbing activities within a 100-foot radius of the area of discovery until the discovery can be evaluated by a paleontologist to assess the significance of such resources and</p>		The District shall retain a qualified paleontologist should potential significant paleontological resources be discovered during construction	

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		shall meet with the County Director of Development Services to confer regarding mitigation for such resources in order to comply with California Public Resources Code §5097.5.			
9	3.9 Hazards and Hazardous Materials	<p>HAZ-1. Spill Prevention and Clean-up Best Management Practices. To reduce the potential for materials and pollutants associated with construction to be discharged to the environment, the Project Proponent will implement the following:</p> <ul style="list-style-type: none"> • Containment and cleanup equipment (e.g., absorbent pads, mats, socks, granules, drip pans, shovels, and lined clean drums) will be at the staging areas and construction site for use, as needed. • Staging areas where refueling, storage, and maintenance of equipment occur will not be located within 100 feet of drainages to reduce the potential for contamination by spills. • Construction equipment will be maintained and kept in good operating condition to reduce the likelihood of line breaks or leakage. • No refueling or servicing will be done without absorbent material (e.g. absorbent pads, mats, socks, pillows, and granules) or drip pans underneath to contain spilled material. If these activities result in an accumulation of materials on the soil, the soil will be removed and disposed of properly. • If a spill is detected, construction activity will cease immediately, and the Contractor will immediately react to safely contain and remove spilled materials. • Spill areas will be restored to pre-spill conditions, as practicable. 		At the start of construction spill prevention and clean-up best management practices will be put in place and maintained throughout construction.	

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10	3.9 Hazards and Hazardous Material	<p>HAZ-2. Fire Prevention Best Management Practices. In order to reduce the potential for a wildfire during construction, the Project will implement the following mitigation measures:</p> <ul style="list-style-type: none"> • Comply with Applicable Laws. Comply with all applicable laws of the State of California. • Confine Welding Activity. Confine welding activity to areas having a minimum radius of ten feet cleared to mineral soil, wet down an area within 25 feet in all directions from welding operations with a 0.3 percent Class A Foam Solution, and utilize a welding tent or metal shield where possible to deflect sparks. Include one shovel and one backpack five-gallon water-filled tank with pump with each welder. • Prevent Fire and Extinguish Fires. Be responsible for preventing the escape of fires as a result of Project construction and have a fully charged fire extinguisher (U.L. rated at 2-A: 10-B: C, or larger) on each truck, personnel vehicle, tractor, grader and other heavy equipment, at all times. • Prohibit Smoking. Under no circumstances shall smoking be permitted while employees are operating light or heavy equipment, or walking or working, near native habitat. • Clear Key Areas of Flammable Material. Equipment service areas, parking areas, and gas and oil storage areas shall be cleared of all flammable material for a radius of at least ten feet. Small mobile or stationary internal combustion engine sites shall be cleared of flammable material for a slope distance of at 		At the start of construction fire prevention best management practices will be put in place and maintained throughout construction.	

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		least 10 feet from such engine. <ul style="list-style-type: none"> Remove Waste. The construction contractor shall remove all waste materials from the Project site on a daily basis, as able. Notify 9-1-1. Construction workers shall notify 9-1-1 of any fires along roads or in or near the Project area as soon as feasible. Maintain Fire Prevention Service Access. Access roads shall remain open and passable for emergency vehicles at all times. Use Spark Arrestors. Equip all diesel and/or gasoline-operated engines with spark arrestors that meet standards set forth in the National Wildfire Coordinating Group publication for Multi-position Small Engines, #430-1, or General Purpose and Locomotive, #430-2. Spark arrestors are not required on equipment powered by exhaust-driven turbo charged engines or motor vehicles equipped with a maintained muffler. 			
11	3.18 Tribal Cultural Resources	TCR-1. Tribal Monitoring. Due to the heightened cultural sensitivity of the proposed project area, at the discretion of the consulting tribes, Tribal monitors shall be present for all ground-disturbing activities that occur within the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological		The District shall hire a qualified tribal monitor from the San Manuel list of approved monitors to be present on-site during all ground disturbance activities.	

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		work). At the discretion of the consulting tribes, a sufficient number of Tribal monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage. A Monitoring and Treatment Plan that is reflective of the project mitigation (“Cultural Resources” and “Tribal Cultural Resources”) shall be completed by the archaeologist, as detailed within CUL-1, and submitted to the Lead Agency for dissemination to the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI). Once all parties review and agree to the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan.			
12	3.18 Tribal Cultural Resources	TCR-2. Treatment of Cultural Resources. If a pre-contact cultural resource is discovered during archaeological presence/absence testing, the discovery shall be properly recorded and then reburied <i>in situ</i> . A research design shall be developed by the archaeologist that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI), the archaeologist/applicant, and the Lead Agency shall confer regarding the		If needed during the ground disturbance phase of the Project’s construction.	

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		<p>research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR), avoidance (or other appropriate treatment) of the discovered resource, and the potential need for construction monitoring during project implementation. Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal monitor representing the Tribe, unless otherwise decided by SMBMI. All plans for analysis shall be reviewed and approved by the applicant and SMBMI prior to implementation, and all removed material shall be temporarily curated on-site. It is the preference of SMBMI that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by SMBMI, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial</p>			

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		<p>shall not occur until all ground-disturbing activities associated with the project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and SMBMI. All reburials are subject to a reburial agreement that shall be developed between the landowner and SMBMI outlining the determined reburial process/location, and shall include measures and provisions to protect the reburial area from any future impacts (vis a vis project plans, conservation/preservation easements, etc.).</p> <p>Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with SMBMI to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriate qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project</p>			

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		<p>developer/applicant to pay for those fees.</p> <p>All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the archaeologist and submitted to the Lead Agency and SMBMI for their review and comment. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and SMBMI.</p>			
13	3.18 Tribal Cultural Resources	<p>TCR-3. Inadvertent Discoveries of Human Remains/Funerary Objects. In the event that any human remains are discovered within the project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately who shall notify SMBMI, the applicant/developer, and the Lead Agency. The Lead Agency and the applicant/developer shall then immediately contact the County Coroner regarding the discovery. 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, the Coroner shall ensure that</p>			

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		<p>notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity. The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code § 5097.98.</p> <p>Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of</p>			

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		<p>human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties.</p> <p>It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, 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>			