

Mitigation Monitoring Program
Alliance California Gateway South Building 3
Project

State Clearinghouse No. 2013101021

Lead Agency

City of San Bernardino
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Lead Agency Discretionary Permits

Tentative Parcel Map No. 19847 (SUB13-07)
Development Permit/Site Plan (DP-P13-09)

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INTRODUCTION

CEQA Requirements

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document that includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a Mitigation Monitoring Program (MMP) for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant environmental impacts. The appropriate reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code §21081.6).

The City of San Bernardino Community Development Department, Building & Safety Division will coordinate the monitoring of the mitigation measures for this project, while various City departments/divisions would be responsible for monitoring and verifying compliance of specific mitigation measures (see the Mitigation Monitoring and Reporting Summary Table beginning on Page 4). Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation measure; and 3) retention of records in the project file.

Program Objectives

The objectives of the MMP for the Alliance California Gateway South Building 3 Project (the “Project”) include the following:

- To provide assurance and documentation that mitigation measures are implemented as planned;
- To report periodically regarding project compliance with mitigation measures, performance standards and/or other conditions; and
- To make available to the public, upon request, the City record of compliance with project mitigation measures.

Overview of the Project

The Project consists of a proposal to redevelop a portion of a 62.85-acre property with one (1) industrial warehouse building. The principal discretionary actions required of the City of San Bernardino to implement the proposed Project include the approval of Tentative Parcel Map No. 19847 (SUB13-07) and a Development Permit/Site Plan (DP-P13-09), and certification of the Project’s Environmental Impact Report (EIR).

Tentative Parcel Map No. 19847 proposes to subdivide the 62.85-acre Project site into two (2) parcels. Parcel 1 is owned by the City of Riverside and comprises an irregularly-shaped 13.20-acre portion of the Project site. No development or physical disturbance is proposed by the Project on Parcel 1. Parcel 2 includes the remaining 49.58-acre portion of the property, which would be configured to accommodate the construction and operation of one (1) 1,199,360_-square foot industrial warehouse building and installation of utility infrastructure, water quality/infiltration basins and other site improvements.

Development Permit/Site Plan No. DP-P13-09 provides a detailed site plan for the 49.58-acre portion of the property proposed for redevelopment, and includes a land use plan, architectural plans, and landscape design for the proposed redevelopment of Parcel 2.

Organization of the Mitigation Monitoring Program

The following describes the sections of this MMP:

- **Introduction** - Provides an overview of CEQA's monitoring and reporting requirements, program objectives, the project for which the program has been prepared, and the manner in which the mitigation monitoring program has been organized.
- **MMP** - Describes the City entities responsible for implementation of the mitigation monitoring plan, the plan scope, procedures for monitoring and reporting, public availability of documents, the process for making changes to the program, types of mitigation measures, and the manner in which monitoring will be coordinated to ensure implementation of mitigation measures.
- **Mitigation Monitoring and Reporting Summary** - Outlines the impacts and mitigation measures, responsible entities, and the timing for monitoring and reporting for each mitigation measure included in this MMP.

DESCRIPTION OF MITIGATION MONITORING PLAN (MMP)

Mitigation Monitoring Procedures

This MMP delegates responsibilities for monitoring, and allows responsible City entities flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. The timing for monitoring and reporting is described in the Mitigation Monitoring and Reporting Summary Table, beginning on Page 4. Adequate monitoring requires demonstration of monitoring procedures and implementation of mitigation measures.

In order to enhance the effectiveness of the monitoring program, the City will utilize existing systems where appropriate. For instance, with any major construction project, the administration generally has at least one inspector assigned to monitor project construction. These inspectors are familiar with a broad range of regulatory issues and will provide first line oversight for much of the monitoring program.

Responsibilities of the City include identification of typical mitigation measure-related issues such as noisy equipment, dust, safety problems, etc. Any problems are generally corrected through directions to the contractors or through other appropriate, established mechanisms. Internal reporting procedures are already in place to document any problems and to address broader implementation issues.

Reporting Procedures

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

- The City distributes the Mitigation Monitoring and Reporting Summary Table to the appropriate City Department and/or employs the City's existing reporting process for verification of compliance.
- Responsible entities verify compliance by signing the Mitigation Monitoring and Reporting Summary Table and/or documenting compliance using their own internal procedures when monitoring is triggered.
- Responsible entities provide the City with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented.

The completed entries in the Mitigation Monitoring and Reporting Summary Table will document the implementation status of mitigation measures of the project. The City would also be responsible for assisting contractors with reporting responsibilities to ensure that they understand their charge and complete their reporting procedures accurately and on schedule.

Public Availability

All monitoring reporting forms, summaries, data sheets, and correction instructions related to the Mitigation Monitoring Program for Alliance California Gateway South Building 3 would be available for public review upon request at the City of San Bernardino Community Development Department, Building & Safety Division offices during normal business hours.

Program Changes

If minor changes are required to the MMP, they would be made in accordance with CEQA and would be permitted after further review by the City. Such changes could include reassignment of monitoring and reporting responsibilities and/or redesign to make any appropriate improvements. No change would be permitted unless the Mitigation Monitoring Program continues to satisfy the requirements of Public Resources Code §21081.6.

Types of Mitigation Measures Being Monitored

The Final Environmental Impact Report recommends 22 mitigation measures to reduce direct and cumulatively considerable impacts of the project related to air quality, biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, noise, and transportation/circulation. Compliance with these mitigation measures will be accomplished through administrative controls over project planning and implementation. Monitoring would be accomplished as described previously under "Reporting Procedures" through verification by City personnel.

Mitigation Monitoring and Reporting Summary

Mitigation Measure	Responsible Party	Verification of Compliance	Timing	Start Date	Finish Date	Monitoring	
						Date	Monitor
Air Quality							
<p>MM 4.2-3 Prior to grading permit and building permit issuance, the City shall verify that the following notes are specified on all grading and building plans. Project contractors shall be required to comply with these notes and permit periodic inspection of the construction site by City of San Bernardino staff to confirm compliance.</p> <p>a) During grading, no more than five (5.0) acres (surface area) of land or topsoil shall be actively disturbed on any given day.</p> <p>b) During construction activity, diesel engines shall not idle in excess of five (5) minutes.</p> <p>c) During construction activity, the operating time of all pieces of off-road diesel-powered equipment shall not exceed a combined total of 147 operating hours per day.</p> <p>d) During construction activity, all off-road diesel construction equipment greater than or equal to 100 horsepower shall be CARB Tier 3 Certified or better. Construction parking shall be located and configured to minimize traffic interference on public streets.</p> <p>e) Construction parking shall be located and configured to minimize traffic interference on public streets.</p>	Project Applicant/Developer, Project Construction Manager	City of San Bernardino Community Development Department, Building & Safety Division	Prior to issuance of grading and building permits.				
<p>MM 4.2-4 Prior to building permit issuance, the City shall verify that the following note is specified on all building plans. Project contractors shall be required to comply with these notes and maintain written records of such compliance that can be inspected by the City of San Bernardino upon request.</p> <p>a) All surface coatings shall consist of Zero-Volatile Organic Compound paints (no more than 125 gram/liter of VOC) and/or be applied with High Pressure Low Volume (HPLV) applications consistent with SCAQMD Rule 1113. Alternatively, building materials may be used that do not require painting or are delivered to the construction site pre-painted.</p>	Project Applicant/Developer, Project Construction Manager	City of San Bernardino Community Development Department, Building & Safety Division	Prior to issuance of building permits.				

Mitigation Measure	Responsible Party	Verification of Compliance	Timing	Start Date	Finish Date	Monitoring	
						Date	Monitor
MM 4.2-5 Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than five (5) minutes; and 3) telephone numbers of the building facilities manager and the CARB to report violations. Prior to occupancy permit issuance, the City shall conduct a site inspection to ensure that the signs are in place.	Project Applicant/Developer	City of San Bernardino Community Development Department, Building & Safety Division	Prior to issuance of occupancy permits.				
MM 4.2-6 Prior to the issuance of building permits, the City shall verify that the parking lot striping and security gating plan allows for adequate truck stacking at gates to prevent queuing of trucks outside the property.	Project Applicant/Developer	City of San Bernardino Community Development Department, Building & Safety Division	Prior to the issuance of building permits.				
MM 4.2-7 The Project's property owner shall provide tenants with readily available documentation from the City of San Bernardino to inform them about benefits of implementing a voluntary carpool or rideshare program for employees.	Project Applicant/Developer	City of San Bernardino Community Development Department, Planning Division	On-going during long-term operation.				
MM 4.2-8 Prior to the issuance of a building permit, documentation shall be provided to the City of San Bernardino confirming that the building design exceeds the California Title 24 Energy Efficiency Standards (2008) by a minimum of 20 percent.	Project Applicant/Developer	City of San Bernardino Community Development Department, Planning Division and Building & Safety Division	Prior to issuance of building permits.				
MM 4.2-9 Prior to the issuance of permit that would allow the installation of landscaping, the City of San Bernardino shall review and approve landscaping plans for the site which show a plant palette emphasizing drought-tolerant plants and use of water-efficient irrigation techniques.	Project Applicant/Developer	City of San Bernardino Community Development Department, Planning Division and Building & Safety Division	Prior to issuance of permit that would allow installation of landscaping.				
MM 4.2-10 In the event that the building design is modified to accommodate refrigeration, all loading docks shall be equipped with an electrical hookup to power refrigerated tractor trailers.	Project Applicant/Developer	City of San Bernardino Community Development Department, Building & Safety Division	Prior to issuance of building permits.				

Mitigation Measure	Responsible Party	Verification of Compliance	Timing	Start Date	Finish Date	Monitoring	
						Date	Monitor
<p>MM 4.2-1 Prior to grading permit issuance, the City shall verify that the following notes are specified on the grading plan to ensure implementation of SCAQMD Rule 403. It should be noted that the following list is non-exclusive, and identifies only key provisions of the SCAQMD Rule 403 requirements; regardless the Project shall be required to comply with all applicable provisions of SCAQMD Rule 403, whether listed below or not. Specifically, Project contractors shall be required to comply with the following notes and all other applicable SCAQMD Rule 403 requirements, and shall maintain written records of such compliance that can be inspected by the City of San Bernardino upon request.</p> <p>a) All clearing, grading, earth-moving, and excavation activities shall cease when winds exceed 25 miles per hour.</p> <p>b) All unpaved roads and disturbed areas shall be watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.</p> <p>c) The contractor shall ensure that traffic speeds on unpaved roads and areas where soil is exposed are reduced to 15 miles per hour or less.</p> <p>d) Public streets shall be swept at the end of each workday using a street sweeper meeting SCAQMD Rule 1186.1 if visible soil is carried onto paved public roads.</p> <p>e) The cargo area of all vehicles hauling soil, sand, or other loose earth materials shall be covered.</p>	Project Applicant/Developer, Project Construction Manager	City of San Bernardino Community Development Department, Building & Safety Division	Prior to issuance of grading permits.				
<p>MM 4.2-2 Prior to the start of grading, the construction contractor shall post legible, durable, weather-proof signs at the property's frontage with Orange Show Road stating the name and phone number of an authorized individual to be contacted to resolve dust complaints. These signs shall remain posted on the property until grading is complete. All legitimate dust complaints shall be resolved in 24 hours.</p>	Project Construction Manager	City of San Bernardino Community Development Department, Planning Division and Building & Safety Division	Prior to the start of ground disturbing activities and on-going during construction.				

Mitigation Measure	Responsible Party	Verification of Compliance	Timing	Start Date	Finish Date	Monitoring	
						Date	Monitor
Biological Resources							
<p>MM 4.3-1 No sooner than 30 days prior to and no later than 14 days prior to grading activities, a qualified biologist shall conduct a survey of the Project’s proposed impact footprint and make a determination regarding the presence or absence of the burrowing owl. A second survey shall be conducted within 24 hours prior to ground disturbing activities. The determination shall be documented in a report and shall be submitted, reviewed, and accepted by the City of San Bernardino Community Development Department prior to the issuance of a grading permit and subject to the following provisions:</p> <p>a) In the event that the pre-construction survey identifies no burrowing owls in the impact area, a grading permit may be issued without restriction.</p> <p>b) In the event that the pre-construction survey indicates the Project’s proposed impact footprint is occupied by burrowing owl, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, a qualified biologist shall passively or actively relocate any burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit.</p>	Project Biologist	City of San Bernardino Community Development Department, Planning Division and Building & Safety Division	Prior to issuance of a grading permit and within 14-30 days and 24 hours prior to grading.				

Mitigation Measure	Responsible Party	Verification of Compliance	Timing	Start Date	Finish Date	Monitoring	
						Date	Monitor
<p>MM 4.3-3 If construction activities begin or are scheduled to occur within 300 feet of riparian habitat located off-site and along the southeast boundary of the Project site during the least Bell’s vireo (LBVI) nesting season (March 1 through August 31), a qualified biologist shall conduct a clearance survey of the habitat to ensure LBVI are not occupying this area. If LBVI is determined to be occupying this area, the qualified biologist shall confirm if the species is nesting. If LBVI is found to be nesting, the biologist shall develop a monitoring program in consultation with CDFW and USFWS to ensure that nesting activities are not interrupted. If nesting LBVI are present, the monitoring program shall be in place and implemented as a condition of the Project’s grading and building permits.</p>	Project Biologist	City of San Bernardino Community Development Department, Planning Division and Building & Safety Division	Prior to the issuance of grading and building permits.				
<p>MM 4.3-2 As a condition of approval for all grading permits, vegetation clearing and ground disturbance shall be prohibited during the migratory bird nesting season (February 1 through September 15), unless a migratory bird nesting survey is completed in accordance with the following requirements: a) A migratory nesting bird survey of the Project’s impact footprint shall be conducted by a qualified biologist within three (3) days prior to initiating vegetation clearing or ground disturbance. b) A copy of the migratory nesting bird survey results report shall be provided to the City of San Bernardino Community Development Department. If the survey identifies the presence of active nests, then the qualified biologist shall provide the Community Development Department with a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be subject to review and approval by the Community Development Department and shall be no less than a 300-foot radius around the nest for non-raptors and a 500-foot radius around the nest for raptors. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist verifies that the nests are no longer occupied and the juvenile birds can survive independently from the nests.</p>	Project Biologist	City of San Bernardino Community Development Department, Planning Division and Building & Safety Division	Prior to the issuance of grading permits				

Mitigation Measure	Responsible Party	Verification of Compliance	Timing	Start Date	Finish Date	Monitoring	
						Date	Monitor
Cultural Resources							
<p>MM 4.4-1 Prior to the issuance of a grading permit, the Project Proponent or construction contractor shall provide evidence to the City of San Bernardino Community Development Department that the construction site supervisors and crew members involved with grading and trenching operations are trained to recognize archaeological resources should such resources be unearthed during ground-disturbing construction activities. If a suspected archaeological resource is identified on the property, the construction supervisor shall be required by his contract to immediately halt and redirect grading operations in a 100-foot radius around the find and seek identification and evaluation of the suspected resource by a professional archaeologist. This requirement shall be noted on all grading plans and the construction contractor shall be obligated to comply with the note. The archaeologist shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2. If the resource is significant, Mitigation Measure MM 4.4-2 shall apply.</p>	<p>Project Applicant/ Developer or Project Construction Manager</p>	<p>City of San Bernardino Community Development Department, Building & Safety Department</p>	<p>Prior to the issuance of grading permits and concurrent with grading and trenching activities.</p>				
<p>MM 4.4-2 If a significant archaeological resource(s) is discovered on the property, ground disturbing activities shall be suspended 100 feet around the resource(s). The archaeological monitor and a representative of the appropriate Native American Tribe(s), the Project Proponent, and the City of San Bernardino Community Development Department shall confer regarding mitigation of the discovered resource(s). A treatment plan shall be prepared and implemented by the archaeologist to protect the identified archaeological resource(s) from damage and destruction. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City of San Bernardino Community Development Department and the San Bernardino Archaeological Information Center.</p>	<p>Project Construction Manager, Project Archaeologist</p>	<p>City of San Bernardino Community Development Department, Planning Division and Building & Safety Division</p>	<p>Concurrent with grading and trenching activities.</p>				

Mitigation Measure	Responsible Party	Verification of Compliance	Timing	Start Date	Finish Date	Monitoring	
						Date	Monitor
<p>MM 4.4-3 Prior to the issuance of a grading permit, the Project Proponent or construction contractor shall provide evidence to the City of San Bernardino Community Development Department that the construction site supervisors and crew members involved with grading and trenching operations in older alluvium deposits dating to the Pleistocene age at depths of greater than 10 feet are trained to recognize paleontological resources (fossils) should such resources be unearthed during ground-disturbing construction activities. If a suspected paleontological resource is identified on the property, the construction supervisor shall be required by his contract to immediately halt and redirect grading operations in a 100-foot radius around the find and seek identification and evaluation of the suspected resource by a qualified paleontologist meeting the definition of a qualified vertebrate paleontologist given in the County of San Bernardino Development Code Section 82.20.040. This requirement shall be noted on all grading plans and the construction contractor shall be obligated to comply with the note. The significance of the discovered resources shall be determined by the paleontologist. If the resource is significant, Mitigation Measure MM 4.4-4 shall apply.</p>	<p>Project Applicant/ Developer or Project Construction Manager</p>	<p>City of San Bernardino Community Development Department, Building & Safety Department</p>	<p>Prior to the issuance of grading permits and concurrent with grading and trenching activities.</p>				
<p>MM 4.4-4 If a significant paleontological resource is discovered on the property, discovered fossils or samples of such fossils shall be collected and identified by a qualified paleontologist meeting the definition of a qualified vertebrate paleontologist given in the County of San Bernardino Development Code Section 82.20.040. Significant specimens recovered shall be properly recorded, treated, and donated to the San Bernardino County Museum, Division of Geological Sciences, or other repository with permanent retrievable paleontologic storage. A final report shall be prepared and submitted to the City of San Bernardino that itemizes any fossils recovered, with maps to accurately record the original location of recovered fossils, and contains evidence that the resources were curated by an established museum repository.</p>	<p>Project Construction Manager, Project Paleontologist</p>	<p>City of San Bernardino Community Development Department, Planning Division and Building & Safety Division</p>	<p>Concurrent with grading and trenching activities.</p>				

Mitigation Measure	Responsible Party	Verification of Compliance	Timing	Start Date	Finish Date	Monitoring	
						Date	Monitor
Hazards and Hazardous Materials							
MM 4.6-1 Prior to the initiation of ground-disturbing construction activities, stained soil located in the southern portion of the Project site shall be remediated and properly disposed of in accordance with federal, state, and City of San Bernardino requirements.	Project Applicant/ Developer	City of San Bernardino Community Development Department, Planning Division	Prior to issuance of grading, clearing, or demolition permits.				
Hydrology and Water Quality							
4.7-1 Prior to the issuance of an occupancy permit, the Project Proponent shall provide evidence to the City of San Bernardino that an application for a Final Letter of Map Revision (LOMR) has been submitted to FEMA to permanently remove the development area from the FEMA 100-year floodplain, and shall demonstrate to the satisfaction of the City of San Bernardino that the finished floor height of the warehouse building structure is above the 100-year floodplain elevation as mapped by FEMA.	Project Applicant/Developer	City of San Bernardino Community Development Department, Planning Division and Building & Safety Division	Prior to the issuance of occupancy permits				
Noise							
MM 4.9-1 Prior to grading or building permit issuance, the City shall review grading and building plans to ensure that the following notes are included. Project contractors shall be required to comply with these notes and maintain written records of such compliance that can be inspected by the City of San Bernardino upon request. a) Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. b) Equipment staging areas shall be placed near the western boundary of the property at least 100 feet south of Orange Show Road, or as close thereto as feasible. c) The construction contractor shall place all stationary construction equipment so that emitted noise is directed towards the center of the property, away from Orange Show Road, the eastern property boundary, and the Santa Ana River. d) All haul truck deliveries shall occur during the same hours specified for construction equipment (only between the hours of 7:00 a.m. and 8:00 p.m.).	Project Applicant/ Developer, Project Construction Manager	City of San Bernardino Community Development Department, Building & Safety Division	Prior to the issuance of grading and building permits.				

Mitigation Measure	Responsible Party	Verification of Compliance	Timing	Start Date	Finish Date	Monitoring	
						Date	Monitor
Transportation/Traffic							
<p>MM 4.10-1 Prior to the issuance of improvement permits for utility infrastructure to be installed beneath Orange Show Road that would result in closure or disruption of vehicular travel lanes, the Project Proponent shall prepare and the City of San Bernardino shall approve a traffic control plan. The traffic control plan shall require the following:</p> <p>a) Construction activities that would impede the flow of traffic along Orange Show Road or through the Orange Show Road/Waterman Avenue intersection and that are feasible to suspend during peak travel periods, shall occur outside of the typical morning and evening peak commute hours (i.e., 7:00 am-9:00 pm and 4:00 pm-6:00 pm).</p> <p>b) A minimum one (1) travel lane shall be maintained in both the westbound and eastbound directions of Orange Show Road throughout the duration of construction activities.</p> <p>The Project Proponent shall work in conjunction with City of San Bernardino engineering staff to temporarily modify traffic signal timing at the Orange Show Road/Waterman Avenue intersection and/or employ other temporary traffic controls to facilitate traffic flow through the intersection during temporary construction activities within the Orange Show public right-of-way.</p>	Project Applicant/ Developer	City of San Bernardino Community Development Department, Building & Safety Division, City of San Bernardino Public Works Department, Engineering Division	Prior to the issuance of improvement permits for utility infrastructure to be installed beneath Orange Show Road.				
<p>MM 4.10-2 In the event the City of San Bernardino and/or the California Department of Transportation (Caltrans) establish a fair-share funding program(s) for the construction of a traffic signal at the Waterman Avenue/I-215 On-Ramp intersection (or immediately adjacent roadway segments that contribute to the improvement of the intersection’s level of service), then prior to the issuance of a building permit, the Project Proponent shall contribute a fair-share payment to the City/Caltrans-established funding program(s) to address the Project’s cumulative impacts. The Project’s fair-share contribution for construction of a traffic signal at the Waterman Avenue/I-215 On-Ramp intersection is 4.9%.</p>	Project Applicant/ Developer	City of San Bernardino Community Development Department, Planning Division and City of San Bernardino Public Works Department, Engineering Division	Prior to the issuance of building permits.				