

**Mitigation Monitoring and Reporting Program
for
City of Hesperia General Plan Update
City of Hesperia, San Bernardino County, California
State Clearing House # 2010011011** Prepared for:

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SECTION 1: MITIGATION MONITORING AND REPORTING PLAN

1.1 - Introduction

The following mitigation monitoring and reporting plan (MMRP) will help assure that the mitigation measures contained in the Draft Environmental Impact Report (Draft EIR), and as modified in this Final EIR, are properly implemented according to State law. This MMRP identifies measures incorporated into the project that reduce its potential environmental impacts, the entities responsible for implementation and monitoring of mitigation measures, and the appropriate timing for implementation of mitigation measures. As described in Section 15097 of the State California Environmental Quality Act (CEQA) Guidelines, this MMRP employs both reporting on and monitoring of Project mitigation measures.

The objectives of the MMRP are to:

- Assign responsibility for, and ensure proper implementation of, mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of compliance with mitigation measures; and
- Provide the mechanism to identify areas of non-compliance and the need for enforcement action before irreversible environmental damage occurs.

The MMRP for the project is presented in the following Section (Section 1.2). Specific mitigation measures identified in the Final EIR, mitigation timing, and implementation and reporting/monitoring responsibilities are presented in this section in Table 1.2-1.

1.2 - Mitigation Monitoring and Reporting Plan

As the Lead Agency, the City of Hesperia (City) is responsible for ensuring full compliance with the mitigation measures adopted for the project. The City will monitor and report on all mitigation activities. If, during the course of project implementation, any of the mitigation measures identified cannot be successfully implemented, the City shall immediately inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required, and/or whether alternative mitigation is appropriate.

Table 1.2-1 presents the implementation plans for the proposed mitigation measures for the Hesperia General Plan Update.

Table 1.2-1: Mitigation Monitoring and Reporting Plan

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
AIR QUALITY							
	MM AQ-1: The City shall implement the following measures to reduce the amount of fugitive dust that is re-entrained into the atmosphere from unpaved areas, parking lots, and construction sites: 1. Require the following measures to be taken during the construction of all projects to reduce the amount of dust and other sources of PM10 in accordance with MDAQMD Rule 403: a. Dust suppression at construction sites using vegetation, surfactants, and other chemical stabilizers; b. Wheel washers for construction equipment; c. Watering down of all construction areas; d. Limit speeds at construction sites to 15 miles per hour; and e. Covering of aggregate or similar material during transportation of material. 2. Adopt incentives, regulations, and/or procedures to reduce paved road dust emissions through targeted street sweeping of roads subject to high traffic levels and silt loadings.	Direct observations, site inspections	Prior to approval of discretionary land use applications Ongoing throughout grading and construction	Community Development Services Director or Designee			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
	MM AQ-2: The City shall require each project applicant, as a condition of project approval, to implement the following measures to reduce exhaust emissions from construction equipment: 1. Commercial electric power (i.e. temporary power pole) shall be provided, to the extent feasible, to the project site in adequate capacity to avoid or minimize the use of portable diesel-powered electric generators and equipment. 2. Where feasible, equipment requiring the use of fossil fuels (e.g., diesel) shall be replaced or substituted with electrically driven equivalents (provided that they are not run via a portable generator set). 3. To the extent feasible, alternative fuels and emission controls shall be used to further reduce exhaust emissions. 4. On-site equipment shall be turned off when not in use and shall not idle for more than 5 minutes. 5. Staging areas for heavy-duty construction equipment shall be located as far as possible from sensitive receptors. 6. Encourage project applicants to perform a review of new technology, in consultation with the Mojave Desert Air Quality Management District, as it relates to heavy-duty equipment, to determine what advances in emissions reductions are available for use and are economically feasible.	Onsite inspection and direct observation/written evidence of measures to reduce exhaust emissions from construction equipment	Prior to approval of discretionary land use applications	Community Development Services Director or Designee			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
	MM AQ-3: The City shall work with the MDAQMD and the San Bernardino Associated Governments to implement the federal ozone and PM10 non-attainment plans and meet all federal and state air quality standards for pollutants. The City shall participate in any future amendments and updates to the non-attainment plans. The City shall also implement, review, and interpret the General Plan and future discretionary projects in a manner consistent with the non-attainment plans to meet standards and reduce overall emissions from mobile and stationary sources.	Review and written certification of compliance with MDAQMD and the San Bernardino Associated Governments to meet all federal and state standards Review and written certification of compliance with the General Plan and future discretionary projects in a manner consistent with the non-attainment plans	Prior to approval of discretionary land use applications	Community Development Services Director or Designee			
	MM AQ-4: The City shall consult with the Mojave Desert Air Quality Management District regarding the siting of project types within a specified distance of existing or planned (zoned) sensitive receptor land uses: a. 1,000 feet of a major transportation project (50,000 or more vehicles per day); b. 1,000 feet of a distribution center (that accommodates more than 40 trucks per day); c. 1,000 feet of any industrial project; and d. 500 feet of any dry cleaning operation using perchloroethylene.	Review and written certification of compliance with the Mojave Desert Air Quality Management District regarding the siting of project types	Prior to approval of discretionary land use applications	Community Development Services Director or Designee			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
	MM AQ-5: The City shall implement the following measures to minimize exposure of sensitive receptors and sites to health risks related to air pollution: 1. Encourage site plan designs to provide the appropriate setbacks and/or design features that reduce toxic air contaminants at the source. 2. Encourage the applicants for sensitive land uses to incorporate design features (e.g., pollution prevention, pollution reduction, barriers, landscaping, ventilation systems, or other measures) in the planning process to minimize the potential impacts of air pollution on sensitive receptors. 3. Actively participate in decisions on the siting or expansion of facilities or land uses (e.g., freeway expansions), to ensure the inclusion of air quality mitigation measures. 4. Where decisions on land use may result in emissions of air contaminants that pose significant health risks, consider options, including possible relocation, recycling, redevelopment, rezoning, and incentive programs. 5. Activities involving idling trucks shall be oriented as far away from and downwind of existing or proposed sensitive receptors as feasible. 6. Strategies shall be incorporated to reduce the idling time of main propulsion engines through	Review and written certification of compliance with recommended measures to minimize exposure of sensitive receptors and sites to health risks related to air pollution	Prior to approval of discretionary land use applications	Community Development Services Director or Designee			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
	alternative technologies such as IdleAire, electrification of truck parking, and alternative energy sources for Transport Refrigeration Units to allow diesel engines to be completely turned off.						
	MM AQ-6: The City shall review discretionary land use applications for residential uses for potential odor impacts for proposals within the following areas: a. 2 miles of a wastewater treatment plant; b. 1 mile of a wastewater pumping facility; c. 2 miles of a sanitary landfill; d. 1 mile of a transfer station; e. 1 mile of a composting facility; f. 2 miles of an asphalt batch plant; g. 1 mile of a painting/coating operation; and h. 1 mile of a green waste and recycling center. If it is determined that odors from such areas have the potential to expose such residential uses to objectionable odors, an Odor Analysis shall be prepared to assess such impacts and recommended methods to limit exposure to such objectionable odors.	Review of discretionary land use applications for residential uses located within referenced areas for potential odor impacts If discretionary land use applications contain potential odor impacts then review of Odor Analysis and written certification of compliance with recommended measures to limit exposure to such objectionable odors	Prior to approval of discretionary land use applications	Community Development Services Director or Designee			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
BIOLOGICAL RESOURCES							
	MM BR-1: Biological surveys, prepared by a qualified biologist, shall be required for discretionary projects located in non-infill sites that have substantially undisturbed areas, or sites that have protected plant or animal species. The specific requirements and nature of such surveys (i.e. general site reconnaissance, focused surveys, etc.) shall be determined by the Community Development Services Director at the time that a development proposal is submitted to the City for processing. If such surveys determine that the discretionary project in question could have a potentially significant impact on candidate, sensitive or special status species, feasible mitigation shall be recommended as part of the survey. The preparation of such surveys and, if necessary, implementation of mitigation, shall be in accordance with applicable federal, state and local protocols, guidelines and requirements, and shall be to the Satisfaction of the Community Development Services Director.	Review and approval of biological surveys, prepared by a qualified biologist If determine that the discretionary project could have a potentially significant impact on candidate, sensitive or special status species then review and written certification of compliance with recommended measures in compliance with applicable federal, state and local protocols, guidelines and requirements	Prior to approval of discretionary projects located in non-infill sites that have substantially undisturbed areas, or sites that have protected plant or animal species	Community Development Services Director or Designee			
CULTURAL RESOURCES							
	MM CR-1a: Areas of the City have been determined to exhibit “Low” cultural resource sensitivity in the technical report supporting the General Plan Update EIR. Prior to exempting a project in Low sensitivity areas from further cultural resource fieldwork, the AIC shall perform a planning review of the Planning Area and report	Review and written certification of AIC’s planning review of the Planning Area and compliance with the results	Prior to exempting a project in Low sensitivity areas from further cultural resource fieldwork	Community Development Services Director or Designee			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
	the results of the review to the City. If, in addition, the particular project is located in a region deemed “Low” and exhibits the following three qualities, no further cultural resource research is necessary if: 1. The AIC determines that a field survey is not necessary or, 2. The Planning Area has been mass graded for modern construction purposes in the recent past or, 3. The Planning Area is less than 5 acres in size.						
	MM CR-1b: In those areas of the City that exhibit “Medium” or “High” cultural resource sensitivity, a qualified Cultural Resource Management professional must undertake a Phase 1 cultural resource survey of the Planning Area as part of the CEQA environmental compliance process if and only if the AIC determines through its planning review that this must occur. In determining whether a cultural resource survey is required, a check of the NARC Sacred Lands Inventory may initially be undertaken. The survey must be conducted following the SHPO-recommended ARMOR research and reporting format. A cultural resource survey in the Medium and High sensitivity areas need not take place if the AIC planning review shows that: 1. The Planning Area has been surveyed by a qualified professional in the last ten years with negative results or, 2. The property has been mass graded for modern construction purposes in the recent past.	Review and written certification of Phase 1 cultural resource survey in compliance with SHPO-recommended ARMOR research and reporting format by a qualified Cultural Resource Management professional	Prior to approval of discretionary projects in areas of the City that exhibit “Medium” or “High” cultural resource sensitivity	Community Development Services Director or Designee			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
	MM CR-1b.1: In the event that a cultural resource assessment is required under CR-1a and/or CR-1b, the qualified Cultural Resource Management professional performing the study must undertake a NAHC Sacred Lands Search as part of the scoping process for the project. Upon receipt of the NAHC Sacred Lands Search response, the qualified professional must send a scoping request letter and/or verbally contact each tribal entity in the NAHC lists. Documentation of this Sacred Lands scoping process must be provided for in the technical report.	Review and written certification of scoping request letter and/or verbally contact for each tribal entity in the NAHC lists.	Prior to approval of discretionary projects in areas of the City that exhibit “Medium” or “High” cultural resource sensitivity	Community Development Services Director or Designee			
	MM CR-1c: If the Phase I field survey shows that there are historical cultural resources in the developmental Planning Area, the City shall require that those cultural resource(s) be tested for historical significance by a qualified Cultural Resource Management professional following modern guidelines unless a previous significance determination study has shown that the resource is not significant under CEQA Section 15064(a). If the Phase I survey report recommends that the City require cultural resource monitoring during construction of the project, the City shall require that the monitoring specialist(s) present his/her credentials to the City for review and approval, showing it is pertinent to the resources expected to be uncovered.	Review and written certification of tested cultural resource(s) by a qualified Cultural Resource Management professional If Phase I survey report recommends cultural resource monitoring during construction of the project then direct observations, site inspections by a monitoring specialist present and review and approval of his/her credentials	Prior to approval of discretionary projects in areas where the Phase I field survey shows that there are historical cultural resources in the developmental Planning Area	Community Development Services Director or Designee			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
	MM CR-1d If the City determines that a significant historical cultural resource will be directly impacted by a proposed development such that the qualities that make the resource significant will be lost during the development, the significant cultural resource must be either avoided, or Phase III data collected by a qualified Cultural Resource Management professional following guidelines established for this type of research by the California SHPO. If the Phase II testing report recommends that the City require cultural resource monitoring during construction, the City shall require that the monitoring specialist(s) present his/her credentials to the City for review and approval, showing it is pertinent to the resources expected to be uncovered.	Review and written certification of either avoided, or Phase III data collected by a qualified Cultural Resource Management professional following guidelines established for this type of research by the California SHPO If Phase II survey report recommends cultural resource monitoring during construction of the project then direct observations, site inspections by a monitoring specialist present and review and approval of his/her credentials	Prior to approval of discretionary projects in areas where significant historical cultural resource will be directly impacted by a proposed development	Community Development Services Director or Designee			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
	MM CR-2a If the Phase 1 field survey shows that there are archaeological cultural resources in the developmental Planning Area, the City must require that those cultural resource(s) be tested for historical significance by a qualified Cultural Resource Management professional following modern guidelines unless a previous significance determination study has shown that the resource is not significant under CEQA Section 15064(a). If testing must take place, the qualified professional shall contact each of the tribes listed by the NAHC in its Sacred Lands response letter and inform them of the testing event. Should one or more tribes request that they be contacted when artifacts are found during the testing event, the qualified professional shall do so. If the Phase I survey report recommends that the City require cultural resource monitoring during construction, the City shall require that the monitoring specialist(s) present his/her credentials to the City for review and approval, showing it is pertinent to the resources expected to be uncovered.	Review and written certification of tested cultural resource(s) by a qualified Cultural Resource Management professional If the Phase I survey report recommends monitoring during construction then direct observations, site inspections by a monitoring specialist present and review and approval of his/her credentials	Prior to approval of discretionary projects in areas where the Phase 1 field survey shows that there are archaeological cultural resources in the developmental Planning Area	Community Development Services Director or Designee			
	MM CR-2b If the City determines that a significant historical cultural resource will be directly impacted by a proposed development such that the qualities that make the resource significant will be lost during the development, the significant cultural resource shall be either avoided, or Phase III data collected by a qualified Cultural Resource Management professional following guidelines established for this type of research by the California SHPO. If a Phase III excavation takes place, the qualified Cultural Resource Management Professional shall contact each of the tribes listed by the NAHC in its Sacred Lands	Review and written certification of either avoided, or Phase III data collected by a qualified Cultural Resource Management professional following guidelines established for this type of research by the California	Prior to approval of discretionary projects in areas where significant historical cultural resource will be directly impacted by a proposed development	Community Development Services Director or Designee			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
	response letter and inform them of the excavation event. Should one or more tribes request that they be contacted when artifacts are found during the excavation event, the qualified professional shall do so. The qualified professional shall seek and consider input from the tribe(s) regarding the disposition of the artifacts, after a tribe responds to the notice of the excavation event. If the Phase II testing report recommends that the City require cultural resource monitoring during construction, the City shall require that the monitoring specialist(s) present his/her credentials to the City for review and approval, showing it is pertinent to the resources expected to be uncovered.	SHPO If Phase II survey report recommends cultural resource monitoring during construction of the project then direct observations, site inspections by a monitoring specialist present and review and approval of his/her credentials					
	MM CR-3a Areas of the City have been determined to exhibit “Low” paleontological resource sensitivity in the technical report written in support of the General Plan Update EIR. If the particular project is located in a region deemed Low and exhibits the following qualities, no further paleontological research is necessary if: 1. The property has been surveyed by a qualified professional in the last five years, or, 2. The property has been mass graded for modern construction purposes in the recent past or, 3. The property is less than five acres in size.	Review and written certification that the particular project is located in a region deemed Low paleontological resource sensitivity and exhibits no referenced qualities	Prior to exempting a project in Low paleontological resource sensitivity	Community Development Services Director or Designee			
	MM CR-3b In those areas of the City that exhibit “Medium” paleontological resource sensitivity, a qualified paleontologist as part of the planning	Review and written certification of paleontological records search by a	Prior to approval of discretionary projects in areas	Community Development Services			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
	process must undertake a formal record search of the project at a local museum. A paleontological records search need not take place if City Planning determines that: 1. The property has been previously evaluated by a qualified paleontological professional, or, 2. The property has been mass graded for modern construction purposes in the recent past. A qualified paleontologist shall monitor areas exhibiting Medium resource sensitivity during construction-related earthmoving if and only if the records search shows that there is some potential for impacts to paleontological resources at the specific site.	qualified paleontologist If the records search shows potential impacts to paleontological resources then monitoring is required by a qualified paleontologist during construction-related earthmoving	of the City that exhibit “Medium” paleontological resource sensitivity	Director or Designee			
	MM CR-3c In those areas of the City that exhibit “High” paleontological resource sensitivity, a qualified paleontologist must undertake a records search and a field survey of the Planning Area. A survey in the High sensitivity areas need not take place if research shows that: 1. The property has been previously evaluated by a qualified paleontological professional, or, 2. The property has been mass graded for modern construction purposes in the recent past. A qualified paleontologist shall monitor areas exhibiting High resource sensitivity during construction-related earthmoving in all cases.	Review and written certification of records search and a field survey of the Planning Area by a qualified paleontologist If the records search shows potential impacts to paleontological resources then monitoring is required by a qualified paleontologist	Prior to approval of discretionary projects in areas exhibiting “High” paleontological resource sensitivity	Community Development Services Director or Designee			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
		during construction-related earthmoving					
NOISE							
	MM N-1 To ensure that potential noise generated from individual, discretionary, site-specific development proposals within the Planning Area will not result in short-term or long-term noise levels in excess of City standards, the Community Development Director shall review such proposals at the time of application submittal to determine if a project level noise study shall be required in order to evaluate project level impacts. If it is determined that noise generated from such proposal would cause short-term or long-term noise levels in excess of City standards, the project proponent shall provide mitigation, if necessary to reduce the short-term or long-term noise impacts to within the City noise level standards, as determined by the Community Development Director. Such mitigation shall be provided in proportion to an individual project's impacts on noise and to the satisfaction of the Community Development Director.	Review of individual, discretionary, site-specific development proposals to determine if a project level noise study may be required If it is determined such proposal would cause short-term or long-term noise levels in excess of City standards, review and approval of mitigation, if necessary to reduce impacts to within the City noise level standards	Prior to approval of discretionary projects	Community Development Services Director or Designee			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
	MM N-2 To ensure that groundborne vibration generated from individual, discretionary, site-specific development proposals within the Planning Area will not result in excess of City standards, the Community Development Director shall review such proposals at the time of application submittal. If necessary, a project level groundborne vibration study may be required, as determined by the Community Development Director, in order to evaluate project level impacts. If it is determined that groundborne vibration generated from such proposal would cause groundborne vibration levels in excess of City standards, the project proponent shall provide attenuation measures, if necessary to reduce groundborne vibration impacts to within the City standards, as determined by the Community Development Director. Such attenuation measures shall be provided in proportion to an individual project's impacts on groundborne vibration and to the satisfaction of the Community Development Director.	Review of individual, discretionary, site-specific development proposals to determine if a groundborne vibration study may be required If it is determined such proposal would cause short-term or long-term groundborne vibration levels in excess of City standards, review and approval of mitigation, if necessary to reduce impacts to within the City groundborne vibration level standards	Prior to approval of discretionary projects	Community Development Services Director or Designee			
TRANSPORTATION AND CIRCULATION							
	MM TIA-1 To ensure that traffic generated from individual, discretionary, site-specific development proposals within the Planning Area will not result in inadequate LOS for project intersections, the Development Services Director	Review of individual, discretionary, site-specific development	Prior to approval of discretionary projects	Community Development Services Director or Designee			

Table 1.2-1: Mitigation Monitoring and Reporting Plan (Cont.)

#	Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Verification Record		
					Date	Comments	Initials
	shall review such proposals at the time of application submittal. If necessary, a project level traffic study may be required, as determined by the Development Services Director, in order to evaluate project level impacts. If it is determined that traffic generated from such proposal would cause LOS failure, the project proponent shall provide, either through construction of improvements and/or monetary contribution, for improvements necessary to maintain an acceptable LOS, as determined by the Development Services Director. Such improvements and/or monetary contribution shall be provided in proportion to an individual project's impacts on traffic and to the satisfaction of the Development Services Director. Mitigation required herein shall not require improvements to reduce LOS for those intersections and segments for which this EIR has determined that impacts are significant, adverse, and unavoidable, beyond those improvements identified in the Circulation Element of the updated General Plan.	proposals to determine if a traffic study may be required If it is determined such proposal would cause LOS failure, review and approval of improvements necessary to maintain an acceptable LOS, if necessary					