

**Mitigation Monitoring and Reporting Program
Initial Study/Mitigated Negative Declaration
Oakmont Live Oak Warehouse Project**

Prepared for:

City of Fontana

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FEBRUARY 2019

**Oakmont Live Oak Warehouse Project
Mitigation Monitoring and Reporting Program**

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**Oakmont Live Oak Warehouse Project
Mitigation Monitoring and Reporting Program**

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Oakmont Live Oak Warehouse Project Mitigation Monitoring and Reporting Program

1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a public agency adopting a Mitigated Negative Declaration (MND) take affirmative steps to determine that approved mitigation measures are implemented after project approval. The lead or responsible agency must adopt a reporting and monitoring program for the mitigation measures incorporated into a project or included as conditions of approval. The program must be designed to ensure compliance with the MND during project implementation (California Public Resources Code, Section 21081.6(a)(1)).

This Mitigation Monitoring and Reporting Program (MMRP) will be used by the City of Fontana (City) to ensure compliance with adopted mitigation measures identified in the MND for the proposed Oakmont Live Oak Warehouse Project (project) when construction begins. The City, as the lead agency, will be responsible for ensuring that all mitigation measures are carried out. Implementation of the mitigation measures would reduce impacts to below a level of significance for air quality, biological resources, cultural resources, and hazards and hazardous materials.

The remainder of this MMRP consists of a table that identifies the mitigation measures by resource for each project component. Table 1 identifies the mitigation monitoring and reporting requirements, list of mitigation measures, party responsible for implementing mitigation measures, timing for implementation of mitigation measures, agency responsible for monitoring of implementation, and date of completion. With the MND and related documents, this MMRP will be kept on file at the following location:

City of Fontana
8353 Sierra Avenue
Fontana, California 92335

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2 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Table 1
Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Date of Completion
<i>Air Quality</i>			
MM-AQ-1: The project shall use “Super-Compliant” low volatile organic compound (VOC) paints for the building envelope application, which have been reformulated to exceed the regulatory VOC limits put forth by the South Coast Air Quality Management District’s Rule 1113 (BACM AQ-2). Super-Compliant low VOC paints shall be no more than 10 grams per liter (g/L) of VOC. Alternatively, the project may use building materials that do not require the use of architectural coatings.	During construction	City of Fontana	
MM-AQ-2: During the site preparation phase, when using construction equipment greater than 150 horsepower (>150 HP), the Construction Contractor shall use off-road diesel construction equipment that complies with U.S. Environmental Protection Agency/California Air Resources Board Tier 3 emissions standards and will ensure that all construction equipment be tuned and maintained in accordance with the manufacturer’s specifications.	During the site preparation phase of construction	City of Fontana	
<i>Biological Resources</i>			
MM-BIO-1: In conformance with the requirements of the Migratory Bird Treaty Act and California Fish and Game Code, should vegetation clearing, cutting, or removal activities be required during the nesting season (i.e., February 1 through August 31), a qualified biologist shall conduct a nesting bird survey within 7 calendar days of such activities. The survey shall consist of full coverage of the project footprint and an appropriate buffer, as determined by the biologist. If no occupied nests are found, no additional steps shall be required. If nests are found that are being used for breeding or rearing young by a native bird, the biologist shall recommend further avoidance measures, including establishing an appropriate buffer around the occupied nest. The buffer shall be determined by the biologist based on the species present, surrounding habitat, and existing environmental setting/level of disturbance. No construction or ground-disturbing activities shall be conducted within the buffer until the biologist has determined that the nest is no longer being used for breeding or rearing.	Within 7 calendar days prior to construction if applicable	City of Fontana	

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**Table 1
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Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Date of Completion
<i>Cultural Resources</i>			
MM-CUL-1: In the event that archaeological or paleontological resources (e.g., sites, features, artifacts, fossil deposits) are exposed during construction activities for the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist or paleontologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending on the significance of the find under the California Environmental Quality Act (CEQA) (14 CCR 15064.5(f); PRC Section 21082), the archaeologist or paleontologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological or paleontological treatment plan, testing, or data recovery, may be warranted.	During construction	City of Fontana	
MM-HAZ-1: During all subsurface construction activities, the project applicant's construction contractor shall regularly inspect the exposed soil for visual evidence of any contamination or volatilization of contaminants (odors). If visual or odor contamination indicators are identified during construction activities, all work shall stop in the vicinity of the potential contamination, and an investigation shall be designed and performed by a qualified environmental consultant to verify the presence and extent of contamination on site. Results of the investigation shall be reviewed and approved by the City of Fontana Building and Safety Division prior to resuming construction activities in the vicinity of the contamination.	During construction	City of Fontana	