

EXHIBIT A - MITIGATION MONITORING AND REPORTING PROGRAM

A.1 STATUTORY REQUIREMENTS

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

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

TABLE A-1

IMPACT(S)	MITIGATION MEASURE (S)	TIMING OF IMPLEMENTATION	RESPONSIBLE AGENCY OR PARTY
<p>BIO-A: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Wildlife Service?</p>	<p>BIO-1: To avoid disturbance of nesting and special-status birds, including species protected by the MBTA and CFGC, activities related to the project, including but not limited to vegetation removal, ground disturbance, and construction and demolition, shall occur outside of the bird breeding season (February 1 through August 31), if feasible. If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than three (3) days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted on foot inside the project boundary, including a 300-foot buffer. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California communities. If nests are found, an avoidance buffer (dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground-disturbing activities shall occur inside this buffer until the avian biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.</p>	<p>✓ Prior to construction</p>	<p>✓ Developer</p>
<p>BIO-B: Cause a substantial adverse change in the significance of an archaeological resource, pursuant to California Code of Regulations, Section 15064.5?</p>	<p>BIO-2: Implementation of the proposed Project will result in impacts to approximately 0.27 acres of riparian/riverine resources, as determined in the Jurisdictional Delineation report. To mitigate for permanent impacts to the 0.27 acre of ephemeral drainage feature and associated riparian vegetation, the Project Proponent proposes to provide offsite mitigation through the purchase of 0.54-acre, a 2:1 ratio, of re-establishment credits at the Riverpark Mitigation Bank. The River Park Mitigation Bank proposes to re-establish alkali plain wetland system habitat and rehabilitate alkali plain wetland habitat and replace functions and services of aquatic resources and associated habitats that have been degraded or destroyed. Functions and values restored include long-term water storage, flood flow dissipation, greater nutrient retention, greater removal of elements and compounds, spreading of low flows for greater retention and removal of dissolved substances, increased structural habitat, habitat interspersions, and wildlife connectivity, and higher support for sensitive species. Therefore, unlike the onsite drainage feature, the proposed mitigation would provide for the conservation of wetland habitat with superior functions and values. A receipt of purchase shall be provided to the California Department of Fish and Wildlife (CDFW).</p>	<p>✓ Prior to construction</p>	<p>✓ Developer</p>
<p>CUL-A: Cause a substantial adverse change in the significance of an archaeological resource, pursuant to California Code of Regulations, Section 15064.5?</p>	<p>CUL-1: In the event that archaeological or paleontological resources are unearthed during project construction, all earth-disturbing work near the find must be temporarily suspended or redirected until an archaeologist and/or paleontologist has evaluated the nature and significance of the find. If the discovery proves to be significant under CEQA, additional work such as preservation in place or data recovery, shall occur as required by the archeologist and/or paleontologist in coordination with City staff and descendants and/or stakeholder groups, as warranted. Once the resource has been properly treated or protected, work in the area may resume. A Native American representative shall be retained to monitor any mitigation work associated with Native American cultural material.</p> <p>CUL-2: In the event that human remains are encountered during the course of any future development California State Law (Health and Safety Code Section 7050.5 and Section 5079.98 of the Public Resources Code) states that no further earth disturbance shall occur at the location of the find until the Riverside County Coroner has been notified. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a Most Likely Descendant. With the permission of the landowner of his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.</p>	<p>✓ Duration of construction</p>	<p>Developer</p>

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<p>GEO-A: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</p>	<p>GEO-1: The project shall adhere to the following recommendations contained in the Geotechnical Engineering Investigation prepared by Salem Engineering Group on June 26, 2018, to reduce the potential for soil collapse:</p> <ul style="list-style-type: none"> ▪ The near-surface onsite sandy soils within the proposed building area shall be removed and re-compacted. Over-excavation and re-compaction within the proposed building areas shall be performed to a minimum depth of four feet below existing grade or three feet below proposed footing bottom, whichever is deeper. Within pavement areas, over-excavation and re-compaction shall be performed to a depth of two feet below existing grade or two feet below proposed grade, whichever is deeper. Any fill materials encountered during grading shall be removed and replaced with engineered fill. The actual depth of the over-excavation and re-compaction shall be determined by the geotechnical field representative during construction. The over-excavation and re-compaction shall also extend laterally to a minimum of five feet beyond the outer edges of the proposed footings. ▪ Prior to placement of fill soils, the upper 8 to 10 inches of native subgrade soils shall be scarified, moisture-conditioned to no less than the optimum moisture content and re-compacted to a minimum of 95 percent of the maximum dry density based on ASTM D1557 Test Method latest edition. All Engineered Fill shall be placed in thin lifts which will allow for adequate bonding and compaction (typically 6 to 8 inches in loose thickness). Engineered Fill soils shall be placed, moisture-conditioned to near optimum moisture content, and compacted to at least 95 percent relative compaction. ▪ A qualified engineer shall be present at the site during site preparation to observe site clearing, preparation of exposed surfaces after clearing, and placement, treatment and compaction of fill material. 	<p>✓ Duration of construction</p>	<p>✓ Developer</p>
<p>GEO-B: Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</p>	<p>GEO-2: The project shall adhere to the following recommendations contained in the Geotechnical Engineering Investigation prepared by Salem Engineering Group on June 26, 2018, to reduce the potential for structural damage due to expansive soils:</p> <ul style="list-style-type: none"> ▪ To reduce shrinking and cracking of concrete foundations, the following recommendations shall be adhered to the extent feasible: limiting the slump of the concrete, proper concrete placement and curing, and place crack control joints at periodic intervals, in particular, where re-entrant slab corners occur. ▪ Proper finishing and curing of concrete shall occur in accordance with the latest guidelines provided by the American Concrete Institute, Portland Cement Association, and the American Society for Testing and Materials. 	<p>✓ Duration of construction</p>	<p>✓ Developer</p>
<p>GEO-F: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<p>GEO-3: In the event that paleontological resources are unearthed during project construction, all earth-disturbing work near the find must be temporarily suspended or redirected until a paleontologist has evaluated the nature and significance of the find. If the discovery proves to be significant under CEQA, additional work such as preservation in place or data recovery, shall occur as required by the paleontologist in coordination with City staff and descendants and/or stakeholder groups, as warranted. Once the resource has been properly treated or protected, work in the area may resume.</p>	<p>✓ Duration of construction</p>	<p>✓ Developer</p>
<p>GHG-A: Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?</p>	<p>GHG-1: To ensure consistency with the City of Moreno Valley Energy Efficiency and Climate Action Strategy, the project shall use Energy Star equipment and appliances in all proposed buildings. The project shall also incorporate energy efficient design features to ensure a 10 percent energy efficiency reduction beyond current Title 24 standards. Potential measures available to minimize the project's energy demand include, but are not limited to:</p> <ul style="list-style-type: none"> ▪ Designate parking spaces for fuel efficient vehicles ▪ Install energy efficient lighting. <p>Incorporate "cool roofs" into project design.</p>	<p>✓ Duration of construction</p>	<p>✓ Developer</p>

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<p>NOI-A: Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>	<p>N-1: To ensure that drive-through speaker noise is not perceptible above the existing ambient noise level at the project site's property line, implementation of one of the following noise control measures is required to reduce drive-through speaker noise by at least 5 dBA:</p> <ul style="list-style-type: none"> ▪ Construct a wall of sufficient height and length and of such materials along the project site's eastern and western boundaries such that drive-through speaker noise is reduced by 5 dBA; OR ▪ Reorient the drive-through lane so that the drive-through speaker is located on the drive-through restaurant's southern side. Reorientation of the drive-through lane would reduce drive-through speaker noise by approximately 9 dBA; OR ▪ Reducing the dBA from the speaker box by approximately 5 dBA by manually turning down the noise level. <p>N-2: To ensure that total operational noise does not exceed the City of Moreno Valley's nighttime noise standard, the car wash's operational hours shall be restricted to 7:00 a.m. to 10:00 p.m. Implementation of Mitigation Measure N-1 would ensure that operation of the proposed project does not exceed the City's drive-through restaurant speaker noise standard. As shown in Table 18, implementation of Mitigation Measure N-2 would reduce total nighttime operational noise to approximately 54 dBA Leq, which would be below the City of Moreno Valley's nighttime noise standard of 60 dBA Leq for commercial uses. Impacts would be less than significant after mitigation.</p>	<p>✓ Construction</p>	<p>✓ Developer</p>
<p>TCR-A: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?</p>	<p>TCR-1 Archaeological Monitoring Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including Pechanga Band of Indians, Morongo Band of Mission Indians, Rincon Band of Luiseño Indians, and Yuhaaviatam of the San Manuel Nation (formally known as the San Manuel Band of Mission Indians), the contractor, and the City, shall develop a Cultural Resources Monitoring Plan (CRMP) as defined in TCR-3. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors, and Consulting Tribal representatives; and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.</p> <p>TCR-2 Native American Monitoring Prior to the issuance of a grading permit(s), the Developer shall secure agreements with the Pechanga Band of Indians and Morongo Band of Mission Indians, Rincon Band of Luiseño Indians for tribal monitoring. The Developer is also required to provide a minimum of 30 days' advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p> <p>TCR-3 Cultural Resources Monitoring Plan (CRMP) The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the</p>	<p>✓ Construction</p>	<p>✓ Developer</p>

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	<p>AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a. Project description and location b. Project grading and development scheduling; c. Roles and responsibilities of individuals on the Project; d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details; e. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, human remains/cremations, sacred and ceremonial items, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation. f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items. g. Contact information of relevant individuals for the Project; <p>TCR-4 Cultural Resources Disposition In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <ul style="list-style-type: none"> a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department: <ul style="list-style-type: none"> i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources. ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-3. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in CR-3 The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document. <p>The City shall verify that the following note is included on the Grading Plan:</p> <p style="padding-left: 40px;">If any suspected archaeological resources are discovered during ground –disturbing activities and the Project Archaeologist and/or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find.</p> <p>TCR-5 Inadvertent Finds If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative</p>		

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	<p>effects on the historic, or prehistoric resource. Yuhaaviatam of San Manuel Nation (formerly known as San Manuel Band of Mission Indians) shall be directly notified in the event of an inadvertent discovery and may elect to monitor the remainder of the ground disturbance if this occurs. Further ground disturbance shall not resume within the area of the discovery until a treatment plan has been prepared and approved by all Consulting Parties, then work may resume after the treatment plan has been completed. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CR-3 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City and Consulting Tribes for their review and approval prior to implementation of the said plan.</p> <p>TCR-6 Human Remains If human remains and/or cremations are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin.</p> <p>A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.</p> <p>B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.</p> <p>C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98</p> <p>D. No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].</p> <p>TCR-7 Non-Disclosure of Reburial Locations It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r)., 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>		

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	<p>TCR-8 Archaeology Report – Phase III and IV</p> <p>Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>		