

Table MMP**Required Mitigation Measures**

General Note: To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.

Implementation Entities shall comply with listed mitigation requirements.

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/Reporting Entity	Monitoring/Reporting Frequency
<u>Traffic and Circulation</u> 4.2.1 <i>Alternative solutions that would reduce the Project's contribution to the existing deficiency at Rancho Valley Dr. / Auto Center Dr. / Rio Rancho Rd. and achieve acceptable LOS D conditions are as follows:</i> <ol style="list-style-type: none"> <i>The Lead Agency's preferred solution is implementation of an Advanced Traffic Management System (ATMS)-based solution such as Adaptive Traffic control software with interconnect between affected Caltrans and City intersections thereby achieving target LOS D.</i> <i>The Lead Agency may alternatively allow the Applicant to restripe the southbound shared left-through lane as shared left-through-right turn lane and thereby achieve target LOS D.</i> 	Prior to issuance of first Certificate of Occupancy	Applicant	City of Pomona, Public Works Department	City shall verify completion of improvements prior to issuance of first Certificate of Occupancy
4.2.2 <i>Prior to the issuance of the first Certificate of Occupancy, the Project Applicant shall modify the signal timing at SR-71 NB Ramps / Rio Rancho Rd. to optimize splits during the AM peak hour. Signal modification shall be approved by the City and Caltrans.</i>	Prior to issuance of building permits	Applicant	City of Pomona, Public Works Department	City shall verify receipt of fees prior to issuance of first Certificate of Occupancy
4.2.3 <i>The Applicant shall implement the following improvements at Rancho Valley Drive/ Auto Center Dr./Rio Rancho Road, thereby achieving adequate turn lane queuing conditions:</i> <ul style="list-style-type: none"> <i>Modify the existing traffic signal timing to accommodate the addition of Project traffic.</i> <i>Extend the existing EB dual left turn lanes westerly to the SR-71 NB ramp intersection (total improved dual left turn pocket length of approximately 350 feet.</i> 	Prior to issuance of first Certificate of Occupancy	Applicant	City of Pomona, Public Works Department	City shall verify completion of improvements prior to issuance of first Certificate of Occupancy
4.2.4 <i>Prior to the issuance of building permits, the Project Applicant shall pay requisite fees as determined by the City toward the following improvements at SR-71 NB Ramps / Rio Rancho Road NB off-ramp:</i> <ul style="list-style-type: none"> <i>Restripe NB shared left-through-right-turn lane as a shared left-through lane.</i> <i>Construct a second NB right turn lane.</i> 	Prior to issuance of building permits	Applicant	City of Pomona, Public Works Department	City shall verify receipt of fees prior to issuance of first Certificate of Occupancy

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<p>4.2.5 The City of Pomona shall participate in a multi-jurisdictional effort with Caltrans to develop a study to identify fee contribution funding sources attributable to and paid from private and public development to supplement other regional and State funding sources necessary to implement the improvements identified at Mitigation Measure 4.2.4 that are under Caltrans jurisdiction. The study shall include fee contributions related to private and or public development based on nexus requirements contained in the Mitigation Fee Act (Govt. Code § 66000 et seq.) and 14 Cal. Code of Regs. §15126.4(a)(4). The fee study shall also be compliant with Government Code § 66001(g) and any other applicable provisions of law. The study shall set forth a timeline and other agreed-upon relevant criteria for implementation of the recommendations contained within the study to the extent the other agencies agree to participate in the fee study program. Because the City of Pomona and Caltrans are responsible to implement this mitigation measure, the Project Applicant shall have no compliance obligations with respect to this Mitigation Measure.</p>	<p>Prior to issuance of final Certificate of Occupancy</p>	<p>City of Pomona, Caltrans</p>	<p>City of Pomona, Public Works Department</p>	<p>City shall verify completion of the study prior to the issuance of final Certificate of Occupancy</p>
<p>4.2.6 Fee amount(s) agreed to by the City and Project Applicant for improvements at intersections that are under Caltrans jurisdiction or that are under shared City/Caltrans jurisdiction shall be paid by the Applicant to the City of Pomona prior to the issuance of the Project's final certificate of occupancy. The City of Pomona shall hold the Project Applicant's Fee Contribution in trust and shall apply the Project Applicant's Fee Contribution to any fee program adopted or agreed upon by the City of Pomona and Caltrans pursuant to Mitigation Measure 4.2.5. If, within five (5) years of the date of collection of the Project Applicant's Fee Contribution, the City of Pomona and Caltrans do not comply with Mitigation Measure 4.2.5, then the Project Applicant's Fee Contribution shall be returned to the Project Applicant. Additionally, if Caltrans autonomously completes the required improvements, the Project Applicant's Fee Contribution shall be returned to the Project Applicant.</p>	<p>Prior to issuance of final Certificate of Occupancy</p>	<p>City of Pomona, Caltrans</p>	<p>City of Pomona, Public Works Department</p>	<p>City shall verify receipt of fees prior to the issuance of final Certificate of Occupancy</p>

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<u>Air Quality</u> 4.3.1 <i>The following requirements shall be incorporated into Project plans and specifications in order to ensure implementation of SCAQMD Rule 403 and limit fugitive dust emissions:</i> <ul style="list-style-type: none"> <i>All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 miles per hour;</i> <i>The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project site are 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; and</i> <i>The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less.</i> 	Prior to issuance of building permits, contractor(s) shall designate construction liaison officer(s) whose responsibilities shall include on-going monitoring of construction activities for compliance with the EIR air quality mitigation measures.	Applicant and general contractor(s)	City of Pomona, Building & Safety Division, SCAQMD	On-going compliance monitoring by construction liaison officer. City/SCAQMD to respond to any community air quality concerns.
4.3.2 <i>Grading plans shall reference the requirement that a sign shall be posted on-site stating that construction workers need to shut off engines at or before five minutes of idling. This requirement is based on the California Air Resources Board regulation in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations, which imposes a requirement that heavy duty trucks accessing the site shall not idle for greater than five (5) minutes at any location. This measure is intended to apply to construction traffic.</i>	Prior to the issuance of grading plans	Applicant and general contractor(s)	City of Pomona, Building & Safety Division	At issuance of grading plans
4.3.3 <i>All off-road diesel-powered construction equipment ≥ 150 hp shall meet California Air Resources Board (CARB) Tier 4 emission standards.</i>	Throughout construction	Construction contractor(s)	City of Pomona, Building & Safety Division	On-going throughout construction activity

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4.3.4 Only “Zero-Volatile Organic Compounds” paints (no more than 50 grams/liter of VOC) and/or High Volume Low Pressure (HVLV) applications consistent with South Coast Air Quality Management District Rule 1113 shall be used. To the extent practicable, construction materials that are pre-painted, or that do not require painting should be employed.	Prior to issuance of building permit(s), general contractor(s) shall designate construction liaison officer(s) whose responsibilities shall include on-going monitoring of construction activities for compliance with the EIR air quality mitigation measures.	Applicant and general contractor(s)	City of Pomona, Building and Safety Division	On-going compliance monitoring by construction liaison officer. City/SCAQMD to respond to any community air quality concerns.
Noise 4.5.1 Install a temporary construction noise barrier at the northern Project site boundary for the duration of Project construction activities. Location, orientation, and minimum height(s) of the barrier are indicated at Figure 4.5-5. The noise control barrier must meet or surpass the following criteria/performance standards: <ul style="list-style-type: none"> • The barrier shall provide a transmission loss of at least 20 dBA with no decorative cutouts or line-of-sight openings between shielded areas and the noise source. • The noise barrier may be constructed using the following materials: <ul style="list-style-type: none"> ○ An acoustical blanket (e.g. vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts with a minimum sound transmission class (STC) rating of 21. • The noise barriers must be maintained and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired. 	Construction noise barrier to be completed prior to issuance of rough grading permit(s).	Construction contractor	City of Pomona, Planning Department	City to verify construction noise barrier completion prior to issuance of rough grading permit(s).

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<ul style="list-style-type: none"> <i>The noise control barriers and associated elements shall be completely removed and the site appropriately restored upon the conclusion of the construction activity.</i> 				
<p><u>Biological Resources</u></p> <p><i>BIO-1 To avoid impacts to nesting birds and to comply with the federal Migratory Bird Treaty Act of 1918 (MBTA) and the California Fish and Wildlife Code:</i></p> <ul style="list-style-type: none"> <i>If possible, all vegetation removal activities shall be scheduled outside the nesting season. The nesting season is generally defines as the period February 1 – August 31). This would ensure that no active nests would be disturbed.</i> <i>If vegetation is to be cleared during the nesting season, all suitable habitat shall be thoroughly surveyed for the presence of nesting birds by a qualified biologist 72 hours prior to clearing. If the survey results are negative, the Project biologist shall submit a letter report summarizing the survey findings and indicating that no impacts to active avian nests would occur. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer around active nests, and a minimum 500-foot buffer for nesting raptors. Final buffer distances and configurations shall be determined by the Project biologist. Any delineated buffer areas shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.</i> 	<p>Protection and monitoring per MBTA and CDFW requirements on-going throughout rough grading activities. If construction would occur during the nesting season, Applicant shall provide required survey results to City Planning Department prior to issuance of rough grading permit.</p>	Applicant	City of Pomona, Planning Department	<p>Protection and monitoring per MBTA and CDFW requirements on-going throughout rough grading activities. If construction would occur during the nesting season, Applicant shall provide required survey results to City Planning Department prior to issuance of rough grading permit.</p>

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<p>BIO-2 <i>Two pre-construction burrowing owl clearance surveys, (one within 14 – 30 days prior to ground-disturbing activities, and one with 24 hours prior to construction) shall be conducted. Results of the surveys shall be documented and shall be submitted, reviewed, and accepted by the City of Pomona Planning Division prior to the issuance of a grading permit. Survey documentation shall incorporate following provisions:</i></p> <ul style="list-style-type: none"> <i>In the event that the pre-construction survey identifies no burrowing owls on the property, a grading permit may be issued without restriction.</i> <i>In the event that the pre-construction survey identifies the presence of burrowing owl(s,) the Applicant shall implement incumbent CDFW burrowing owl mitigation protocols.</i> 	Prior to issuance of rough grading permit	Applicant, Project Biologist	City of Pomona, Planning Department	City to verify owl survey completion prior to issuance of rough grading permit. If owl(s) are determined to be present, City to verify plan for implementation of CDFW burrowing owl mitigation protocols.
<p><u>Cultural Resources</u></p> <p>CR-1 <i>To ensure avoidance of adverse impacts to potentially significant historic, archaeological, paleontological, and geologic resources during grading and excavation activities, the Project site shall be monitored by a professional archaeological consultant meeting Secretary of Interior's Standards and Guidelines for Archaeological and Historic Preservation [Code of Federal Regulations, 36 CFR Part 61]. The monitor shall have the authority to halt any activities affecting potentially significant resources until a program for addressing the resource(s) is developed and implemented.</i></p>	During grading and excavation activities	Applicant and contractors(s)	City of Pomona, Building Division	On-going throughout ground-disturbing activities and at the discretion/direction of the Project Archaeological Monitor(s).
<p>CR-2 <i>If significant Native American cultural resources are discovered for which a Treatment Plan must be prepared, the developer or archaeologist shall notify the City of Pomona and contact all appropriate Native American tribal representatives, as identified by the Native American Heritage Commission. If requested by the Tribe(s), the City, the developer, or the Project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g., avoidance, preservation, return of artifacts to tribe, etc.). A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the</i></p>	During grading and excavation activities	Applicant and contractors(s)	City of Pomona, Building Division	On-going throughout ground-disturbing activities and at the discretion/direction of the Project Archaeological Monitor(s).

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<i>program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the Applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.</i>				