

MITIGATION MONITORING AND REPORTING PROGRAM

APPLE BEAR COMMERCIAL PROJECT

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

Apple Bear Commercial Project DP 2022-004, SUP 2022-002, TPM 20473

The program has been prepared in compliance with State law and the Mitigated Negative Declaration (MND) prepared for the project by the Town of Apple Valley (Town).

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid significant effects on the environment (Public Resource Code Section 21081.6). The law states the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

- 1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- 2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
- 3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the MND.

MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the Town is responsible for ensuring full compliance with the mitigation measures adopted for the proposed project. The Town will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project site. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If, during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the Town shall be immediately informed, and the Town will then inform any affected responsible agencies. The Town, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

STANDARD CONDITIONS

Standard Conditions are presented in instances where the proposed project would not create a significant impact but would be required to adhere to regulatory requirements in order to ensure impacts do not become significant. Standard Conditions outline compliance with various federal, State, and/or local acts, laws, rules, regulations, municipal codes, policies, etc.

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project Name: Apple Bear Commercial Project

Applicant: Wood Investments Company, Inc.

Date: June 19, 2023

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Biological Resources					
MITIGATION MEASURE BIO-1: Prior to the issuance of a grading permit, a pre-construction burrowing owl clearance survey must be conducted by a qualified biologist within 14 days prior to the beginning of project construction to determine if the project site contains suitable burrowing owl habitat and to avoid any potential impacts to the species. The survey shall include 100 percent coverage of the project site, plus 150-meter buffer to ensure no owls have emigrated onto the site. If the burrowing owl survey reveals no burrowing owls are present, no additional actions related to this measure are required. If occupied burrows are found within the development footprint during the pre-construction clearance survey, Mitigation Measure BIO-2 shall apply.	Town of Apple Valley Planning Division or designee.	Prior to the issuance of demolition and grading permits.	Evidence to the Town of a submitted pre-construction burrowing owl clearance survey by a qualified biologist within 14 days prior to commencement of project construction.		Withhold grading permit.
MITIGATION MEASURE BIO-2: If occupied burrows are found within the development footprint during the pre-construction burrowing owl survey, site-specific buffer zones shall be established by the qualified biologist through consultation with the California Department of Fish and Wildlife (CDFW). The buffer zones may vary depending on burrow location and burrowing owl sensitivity to human activity, and no construction activity shall occur within a buffer zone(s) until appropriate avoidance and minimization measures are determined through consultation with the CDFW.	Town of Apple Valley Planning Division or designee and the CDFW.	Prior to the commencement of ground disturbance activities and during construction.	Evidence to the Town: <ul style="list-style-type: none"> • A qualified biologist is retained; • The required pre-construction burrowing owl clearance survey has been completed; • Results of consultation with CDFW; • If necessary, appropriate buffers 		Withhold grading permit and/or issuance of a stop work order.

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<p>As part of the consultation process, the CDFW may require some or all of the following avoidance and minimization measures:</p> <ul style="list-style-type: none"> • Preparation of a burrowing owl relocation/translocation plan describing the methodology for passive and active relocation of burrowing owls from the project site, a monitoring strategy, and long-term conservation of relocated owls for submittal to the CDFW for approval prior to ground-disturbing activities. • Replacement of burrowing owl habitat acreage in accordance with the guidelines provided in Appendix A of the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012. • Establishment of permanent conservation lands comprised of similar vegetation communities to provide for burrowing owl nesting, foraging, wintering, and dispersal (i.e., during breeding and non-breeding seasons) comparable to or better than that of the impact area. Such conservation lands must be of sufficiently large acreage and be occupied by fossorial mammals. Conservation lands may require habitat enhancements including enhancement or expansion of burrows for breeding, shelter and dispersal opportunity, and removal or control of population stressors as determined by the CDFW. If the conservation lands are located adjacent to the impacted 			<p>established and monitored until the nesting effort is finished;</p> <ul style="list-style-type: none"> • Submittal of a report to the Town for mitigation monitoring compliance record keeping. 		

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<p>burrow site, the nearest neighbor artificial or natural burrow clusters must be at least within 210 meters of the impacted burrow site.</p> <ul style="list-style-type: none"> Development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of the site for burrowing owls. Funding of maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment. Restoration of any temporarily disturbed areas to the pre-project condition, including decompacting soil and revegetating. <p>This measure shall be implemented to the satisfaction of the Town of Apple Valley Planning Division and the CDFW.</p>					
<p>MITIGATION MEASURE BIO-3: If grubbing and/or ground disturbance is proposed during nesting bird season (February through August), a pre-construction nesting survey shall be conducted by a qualified biologist (Project Biologist) within 14 days prior to start of work. If the survey indicates nesting birds are present, an appropriate buffer to be established by the Project Biologist shall be marked off around the nest(s), and no grubbing or ground disturbance shall occur in that area during nesting activities. Grubbing and/or ground disturbance may resume within the established buffer when the Project Biologist determines the nest is no longer occupied and all juveniles have left the nest.</p>	<p>Town of Apple Valley Planning Division or designee.</p>	<p>Prior to the commencement of ground disturbance activities and during construction.</p>	<p>Evidence to the Town:</p> <ul style="list-style-type: none"> A qualified biologist is retained; The required pre-construction nesting survey has been completed; If necessary, appropriate buffers established and monitored until the 		<p>Issuance of a stop work order.</p>

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This measure shall be implemented to the satisfaction of the Apple Valley Planning Division or designee.			nesting effort is finished; <ul style="list-style-type: none"> • Submittal of a report to the Town for mitigation monitoring compliance record keeping. 		
CULTURAL RESOURCES					
MITIGATION MEASURE CUL-1: Prior to the start of earth moving activities, the Project Applicant shall retain an archaeologist to conduct cultural resources sensitivity training for all construction personnel. Construction personnel shall be informed of the types of archaeological resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of precontact or historic archaeological resources or human remains. The Project Applicant shall ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance. This measure shall be implemented to the satisfaction of the Director of the Town of Apple Valley Community Development Department, Planning Division.	Town of Apple Valley Planning Division or designee.	Prior to and during construction.	Evidence to the Town: 1) An archaeologist is retained; 2) The archaeologist administers Cultural Resource Sensitivity Training and monitors ground-disturbing activities.		Issuance of a stop work order.
MITIGATION MEASURE CUL-2: In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation (YSMN) Cultural Resources Department (YSMN) shall be contacted,	Town of Apple Valley Community Development Director or designee.	During construction.	Evidence to the Town: 1) Appropriate buffers are established as necessary; 2) Recommendation for the treatment and disposition of resources by the qualified archaeologist in consultation with the		Issuance of a stop work order.

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as detailed within Mitigation Measure TCR-1 , regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide tribal input with regards to significance and treatment			Tribe[s] and Native American monitor[s].		
MITIGATION MEASURE CUL-3: If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within Mitigation Measure TCR-1 . The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.	Town of Apple Valley Community Development Director or designee.	During construction.	Evidence to the Town: <ul style="list-style-type: none"> Recommendation for the treatment and disposition of resources by the qualified archaeologist in consultation with the Tribe[s]. 		Issuance of a stop work order.
MITIGATION MEASURE CUL-4: If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code Section 7050.5 and that code enforced for the duration of the project.	Town of Apple Valley Planning Division or designee.	During construction.	Evidence to the Town that appropriate buffer areas have been established as applicable, and results of coordination with Native American Tribe[s], Town of Apple Valley Community Development Director (or designee), and County Coroner as necessary.		Issuance of a stop work order.
GEOLOGY AND SOILS					
MITIGATION MEASURE GEO-1: Prior to issuance of grading and/or building permits, the Project Applicant shall provide evidence to the Town of Apple Valley (Town) for review and approval that proposed structures, features, and facilities	Town of Apple Valley Director of Building and	Prior to the issuance of grading or building permits, and during construction.	Evidence to the Town: <ol style="list-style-type: none"> Project proponent/developer 		Withhold grading or building permits, or

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<p>have been designed and would be constructed in conformance with applicable provisions of the 2022 edition of the California Building Code (CBC) or the most current edition of the CBC in effect at the time the Project Applicant's development application is deemed complete by the Town.</p> <p>Additionally, the Project Applicant shall prepare a site-specific geotechnical report for the project and provide evidence to the Town that the recommendations cited in the geotechnical report are incorporated into project plans and/or implemented as deemed appropriate by the Town. Geotechnical recommendations may include, but are not limited to, removal of existing vegetation, structural foundations, floor slabs, utilities, septic systems, and any other surface and subsurface improvements that would not remain in place for use with the new development. Remedial earthwork, overexcavation, and ground improvement shall occur to depths specified in the geotechnical report to provide a sufficient layer of engineered fill or densified soil beneath the structural footings/foundations, as well as proper surface drainage devices and erosion control. Fill soils shall consist of very low expansive soils. Construction of concrete structures in contact with subgrade soils determined to be corrosive shall include measures to protect concrete, steel, and other metals, including the use of Type V cement. Verification testing must be performed upon completion of ground improvements to confirm that the compressible soils have been sufficiently densified. The structural engineer must determine the ultimate thickness and reinforcement of the building floor slabs based on the imposed slab loading.</p>	<p>Safety or designee.</p>		<p>prepares a site-specific geotechnical report;</p> <p>2) Proposed features, structures, and facilities have been designed and would be constructed per the 2022 CBC or most current edition;</p> <p>3) Recommendations cited in the geotechnical report are incorporated into project plans and/or implemented as deemed appropriate by the Town;</p> <p>4) Retainment of structural engineer to perform verification testing upon completion of ground improvements.</p>		<p>issuance of a stop work order.</p>

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<p>As necessary, the Town may require additional studies and/or engineering protocols to meet its requirements. This measure shall be implemented to the satisfaction of the Director of Building and Safety or designee.</p>					
<p>MITIGATION MEASURE GEO-2: Prior to issuance of a grading permit, the Project Applicant must retain a qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least one year) to prepare a Paleontological Resource Impact Mitigation Plan (PRIMP) and monitor mass grading activities on the site. Implementation of the PRIMP shall include (but not be limited to) the following:</p> <ul style="list-style-type: none"> • Review of Project-specific geotechnical report data, with particular regard to location and depth of earthmoving and the rock unit(s) encountered; • Development of a formal agreement between the Project Applicant and the San Bernardino County Museum, Natural History Museum of Los Angeles County, Western Science Center, San Diego Natural History Museum, Riverside Municipal Museum, or other accredited museum repository for the final disposition, permanent storage, and maintenance of any fossil collections and associated data; • The construction schedule, term/schedule of on-site paleontological monitor(s) and the extent of areas and activities to be monitored; 	<p>Town of Apple Valley Planning Division.</p>	<p>Prior to issuance of grading permits and during construction.</p>	<p>Evidence to Town:</p> <ol style="list-style-type: none"> 1) Project Applicant/Developer retainment of a qualified paleontologist in the event of paleontological discoveries; 2) Appropriate buffer areas have been established as applicable. 		<p>Withhold grading permit and/or issuance of a stop work order.</p>

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<ul style="list-style-type: none"> Authority of paleontological monitor(s) to temporarily redirect construction activity in the vicinity of any paleontological discovery; Procedures for the evaluation and option to recover large fossil specimens and for the evaluation, recovery, and processing of small fossil specimens; Fossil specimen preparation, identification to the lowest taxonomic level possible, curation, and cataloging; and A report of findings. <p>Monitoring shall occur from the outset of grading activities since the depth of older alluvium sediments on-site is unknown. However, the qualified paleontologist shall have the discretion of scaling back monitoring to a schedule approved by the Apple Valley Planning Division if, at the discretion of the paleontologist, grading is unlikely to reach depths of older alluvium sediments or if the sediments encountered on the site have little to no potential to yield paleontological resources.</p> <p>If paleontological resources are encountered during the course of ground disturbance, work within 60 feet of the find shall be halted, and an exclusionary buffer shall be established. The qualified paleontologist shall assess the find for scientific significance. Construction personnel shall not collect or move any suspected paleontological materials or further disturb any soils within the exclusionary buffer without the consent of the paleontologist and the Apple Valley Planning Division, but construction activity may continue unimpeded on other portions of the Project site. If the paleontologist determines the find is not a</p>					

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<p>paleontological resource, no further evaluation shall be required within the exclusionary buffer, and construction activity shall be allowed to resume therein. However, if the paleontologist determines the find is a paleontological resource, construction activity shall not resume within the exclusionary buffer, and Mitigation Measure GEO-3 shall apply. This measure shall be implemented to the satisfaction of the Apple Valley Planning Division.</p>					
<p>MITIGATION MEASURE GEO-3: If the qualified paleontologist determines paleontological resources are encountered on the project site, the paleontologist shall address the resource(s) pursuant to the Paleontological Resource Impact Mitigation Plan (PRIMP) to be implemented during the balance of ground-disturbing activities. The paleontologist shall be equipped to record and salvage fossil resources that may be unearthed during construction and shall temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources. Significant fossils shall be offered for curation at an accredited museum repository in accordance with the PRIMP. A report of findings, including, when appropriate, an itemized inventory of recovered specimens and a discussion of their significance, shall be prepared at the conclusion of paleontological monitoring. The report and inventory, when submitted to and approved by the Apple Valley Planning Division, would signify completion of the program. This measure shall be implemented to the satisfaction of the Apple Valley Planning Division.</p>	<p>Town of Apple Valley Planning Division.</p>	<p>During construction and in the event of paleontological resource discovery.</p>	<p>Evidence to the Town:</p> <ol style="list-style-type: none"> 1) Project Applicant/developer-retained paleontologist prepares and submits a PRIMP to the Town; 2) Project Applicant/developer-retained paleontologist prepares and submits a report of findings upon completion of PRIMP implementation to the Town. 		<p>Withhold grading and/or building permits and/or issuance of a stop work order.</p>
<p>HAZARDS AND HAZARDOUS MATERIALS</p>					

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<p>MITIGATION MEASURE HAZ-1: An asbestos-containing materials (ACM) survey shall be completed for all structures proposed for demolition. A Certified Asbestos Consultant shall conduct the ACM survey. If the ACM survey reveals no detectable asbestos levels pursuant to Title 8, California Code of Regulations Section 1529, no further ACM survey or remedial work is required. However, if a detectable level of asbestos is identified within structures proposed for demolition, Mitigation Measure HAZ-2 shall apply. This measure shall be implemented to the satisfaction of the Apple Valley Community Development Director or designee, and/or Building and Safety Division, or designee.</p>	<p>Town of Apple Valley Community Development Director or designee, and/or Building and Safety Division or designee.</p>	<p>Prior to demolition activities.</p>	<p>Evidence to the Town that an ACM survey was conducted by a Certified Asbestos Consultant .</p>		<p>Withhold demolition permit.</p>
<p>MITIGATION MEASURE HAZ-2: Prior to the demolition of any structure identified to contain asbestos-containing materials (ACM), the Project Applicant shall retain a Certified Asbestos Consultant to abate ACM from the demolition site pursuant to South Coast Air Quality Management District (SCAQMD) Rule 1403. An Asbestos Notification shall be prepared and submitted to the SCAQMD for approval if abatement of at least 100 square feet or 160 linear feet of ACM above one percent asbestos is required. The Certified Asbestos Consultant shall provide a construction and demolition plan with disposal tickets from a San Bernardino County Department of Public Works-Solid Waste Management Division-approved disposal facility and SCAQMD air clearances prior to any asbestos removal activity, and an asbestos report shall be provided to the County prior to the issuance of a demolition permit. This measure shall be implemented to the satisfaction of the Apple Valley Community Development Director or designee, and/or Building and Safety Division, or designee.</p>	<p>Town of Apple Valley Community Development Director or designee, and/or Building and Safety Division or designee.</p>	<p>Prior to demolition activities.</p>	<p>Evidence to the Town:</p> <ol style="list-style-type: none"> 1) Project proponent/developer retains a Certified Asbestos Consultant to abate ACM from the site; 2) Project proponent/developer prepares and submits an Asbestos Notification to SCAQMD if notification conditions are met; 3) A construction and demolition plan with disposal tickets from approved disposal facilities and SCAQMD air clearances, along with 		<p>Withhold demolition permit.</p>

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			an asbestos report submitted to the County.		
<p>MITIGATION MEASURE HAZ-3: A lead-based materials (LBM) survey shall be completed for all structures proposed for demolition. A qualified California Department of Public Health Lead Inspector Assessor shall conduct the LBM survey. If the LBM survey reveals no detectable lead levels pursuant to Code of Federal Regulations Chapter 29, Section 1926.62 and Title 8, California Code of Regulations Section 1532.1, no further LBM survey or remedial work is required. However, if a detectable level of lead is identified within structures proposed for demolition, Mitigation Measure HAZ-4 shall apply. This measure shall be implemented to the satisfaction of the Apple Valley Community Development Director or designee, and/or Building and Safety Division, or designee.</p>	<p>Town of Apple Valley Community Development Director or designee, and/or Building and Safety Division or designee.</p>	<p>Prior to the issuance of a demolition permit.</p>	<p>Evidence to the Town that an LBM survey was conducted by a qualified California Department of Public Health Lead Inspector Assessor.</p>		<p>Withhold demolition permit.</p>
<p>MITIGATION MEASURE HAZ-4: Prior to the demolition of any structure identified to contain lead-based materials (LBM), the Project Applicant shall retain a California Department of Public Health Lead Inspector Assessor to abate LBM from the demolition site. The Lead Inspector Assessor shall provide a construction and demolition plan with disposal tickets from a San Bernardino County Department of Public Works-Solid Waste Management Division-approved disposal facility and South Coast Air Quality Management District air clearances prior to any lead removal activity, and a lead report shall be provided to the Town prior to the issuance of a demolition permit. This measure shall be implemented to the satisfaction of Apple</p>	<p>Town of Apple Valley Community Development Director or designee, and/or Building and Safety Division or designee.</p>	<p>Prior to the issuance of a demolition permit.</p>	<p>Evidence to the Town:</p> <ol style="list-style-type: none"> 1) Project proponent/developer retains a California Department of Public Health Lead Inspector Assessor to abate LBM from the site; 2) A construction and demolition plan with disposal tickets from approved disposal 		<p>Withhold demolition permit.</p>

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Valley Community Development Director or designee, and/or Building and Safety Division, or designee.			facilities and SCAQMD air clearances, along with a lead report submitted to the Town.		
MITIGATION MEASURE HAZ-5: Prior to the issuance of grading permits, the Project Applicant shall retain a qualified professional to assess the contents of the on-site drums and determine the appropriate disposal of the drums. This measure shall be implemented to the satisfaction of Apple Valley Community Development Director or designee, and/or Building and Safety Division, or designee.	Town of Apple Valley Community Development Director or designee, and/or Building and Safety Division or designee.	Prior to the issuance of grading permits.	Evidence to the Town: 1) Project Applicant/Developer retains a qualified professional to assess the contents of the on-site drums; and 2) Determination of appropriate disposal of drums.		Withhold grading permit.
TRIBAL CULTURAL RESOURCES					
MITIGATION MEASURE TCR-1: The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in Mitigation Measure CUL-2 , of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall	Town of Apple Valley Community Development Director or designee.	During construction.	Evidence to the Town: 1) Appropriate buffers are established as necessary; 2) Recommendation for the treatment and disposition of resources by the qualified archaeologist in consultation with the Tribe[s] and Native		Issuance of a stop work order.

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allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.			American monitor[s].		
MITIGATION MEASURE TCR-2: Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the Project Applicant and the Town for dissemination to YSMN. The Town and/or Project Applicant shall, in good faith, consult with YSMN throughout the life of the project.	Town of Apple Valley Community Development Director or designee.	Project duration.	Evidence to Town that all project archeological and cultural documents created are provided to YSMN.		Issuance of a stop work order.

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HYDROLOGY AND WATER QUALITY					
<p>STANDARD CONDITIONS HYD-1: Prior to issuance of a grading permit, the Project Applicant shall obtain coverage under the State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2022-0057-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit). This shall include submission of Permit Registration Documents (PRDs), including a Notice of Intent for coverage under the permit to the State Water Resources Control Board (SWRCB) via the Stormwater Multiple Application and Report Tracking System (SMARTs). The Project Applicant shall provide the Waste Discharge Identification Number (WDID) to the Town of Apple Valley (Town), or designee, to demonstrate proof of coverage under the Construction General Permit. Project construction shall not be initiated until a WDID is received from the SWRCB and is provided to the Town, or designee. A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the proposed project in compliance with the requirements of the Construction General Permit. The SWPPP shall identify construction best management practices (BMPs) to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in stormwater runoff as a result of</p>	<p>Director of the Town of Apple Valley Public Works Department, or designee.</p>	<p>Prior to issuance of a grading permit, during construction, and upon completion of construction.</p>	<p>Evidence to the Town:</p> <ul style="list-style-type: none"> • A Waste Discharge Identification Number (WDID) is obtained for the Project from the SMARTs; • Project coverage under the Construction General Permit; and • Submittal of a Stormwater Pollution Prevention Plan to the Town that includes BMPs. 		<p>Withhold grading permit, building permit, and/or issuance of a stop work order.</p>

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construction activities. Upon completion of construction and stabilization of the site, a Notice of Termination shall be submitted via SMARTs.					
STANDARD CONDITIONS HYD-2: Prior to issuance of a grading permit, the Project Applicant shall submit a Final Water Quality Management Plan (Final WQMP) to the Town of Apple Valley (Town) for review and approval in compliance with the requirements of the Lahontan RWQCB's NPDES Permit Waste Discharge Requirements for the 2013 Phase II Small Municipal Storm Sewer System Permit (Order No. 2013-0001-DWQ, as amended by Orders WQ 2015-0133-EXEC, WQ 2016-0069-EXEC, WQ 2018-0001-EXEC, and WQ-2018-007-EXEC, NPDES No. CAS000004) (Phase II MS4 Permit). The Final WQMP shall specify the Best Management Practices (BMPs) to be incorporated into the project design to target pollutants of concern in stormwater runoff captured on the project site and the necessary operation and maintenance activity for each BMP. The Town shall ensure that the BMPs specified in the Final WQMP are incorporated into the final project design. The proposed BMPs specified in the Final WQMP shall be incorporated into the grading and development plans submitted to the Town for review and approval. Project occupancy and operation shall be in accordance with the schedule outlined in the WQMP.	Director of the Town of Apple Valley Public Works Department, or designee.	Prior to the issuance of grading permit.	Submittal to Town of a Final Water Quality Management Plan (Final WQMP).		Withhold grading permit.
STANDARD CONDITIONS HYD-3: Prior to the issuance of a grading permit, the Project Applicant shall submit a Final Hydrology Report to the Town of Apple Valley (Town) for review and approval to demonstrate that the proposed project includes LID BMPs appropriately sized	Director of the Town of Apple Valley Public Works	Prior to the issuance of grading permit.	Submittal to Town of a Final Hydrology Report.		Withhold grading permit.

**MITIGATION MONITORING AND REPORTING PROGRAM
APPLE BEAR COMMERCIAL PROJECT**

Project Name: Apple Bear Commercial Project

Applicant: Wood Investments Company, Inc.

Date: June 19, 2023

Standard Condition No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
to retain and infiltrate the required Design Capture Volume (DCV) on the project site in accordance with the requirements of the Phase II MS4 Permit. The Final Hydrology Report shall also demonstrate that the proposed project includes LID BMPs to capture, retain, and infiltrate 100 percent of the 100-year one hour storm event on-site in accordance with the requirements of Chapter 9.37.030(B) of the Town Development Code.	Department, or designee.				
NOISE					
STANDARD CONDITION NOI-1: Construction Hours. The construction contractor shall limit construction activities to between the hours of 7:00 a.m. and 7:00 p.m. on weekdays (Monday through Friday) pursuant to Section 9.73.060(F) of the Town's Development Code. Construction activities are prohibited outside of these hours, and on weekends and holidays.	Town of Apple Valley Building Inspector.	Prior to the issuance of demolition, grading, and building permits and during construction activities.	Submittal to Town of Project construction plans that include direction to adhere to the Town's noise source controls at all times, including work hours, model types, upkeep of construction equipment, and path controls where physically feasible.		Withhold demolition, grading, and building permits, or issuance of stop work order.
STANDARD CONDITION NOI-2: Mufflers. The construction contractor shall ensure that all mobile or stationary construction-related internal combustion engine powered equipment or machinery be equipped with suitable exhaust and air intake silencers in proper working order consistent with manufacturers' specifications.	Town of Apple Valley Community Development Director or designee.	Prior to the issuance of demolition, grading, and building permits and during construction activities.	Submittal to Town of Project construction plans that include direction to adhere to the Town's noise source controls at all times, including work hours, model types, upkeep of construction equipment, and path controls where physically feasible.		Withhold demolition, grading, and building permits, or issuance of stop work order.