

Mitigation Monitoring and Reporting Program

4.1 Introduction

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Environmental Impact Report has been certified which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "...reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented for the Mesa Linda Street Development Project (Project). The City of Hesperia is the Lead Agency for the Project and is responsible for implementation of the MMRP. This report describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

4.2 Mitigation Monitoring and Reporting Program

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City for the KISS Logistics Project. The table identifies the Project Design Features (PDFs) and mitigation measures required by the City to mitigate or avoid significant adverse impacts associated with the implementation of the Project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plan, Program, Policies; and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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TABLE 4-1: MITIGATION MONITORING AND REPORTING PROGRAM
KISS LOGISTICS CENTER PROJECT EIR

| Regulatory Requirement /Project Design Feature/ Mitigation Measure | Timing | Responsible for Ensuring Compliance / Verification | Date Completed and Initials |
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| BIOLOGICAL RESOURCES | | | |
| <p>Mitigation Measure BIO-1: Relocation of Desert Native Plants (Hesperia Municipal Code Chapter 16.24).</p> <p>Prior to the issuance of grading permits, the Project Applicant shall submit an application and applicable fee paid to the City of Hesperia for removal or relocation of protected native desert plants under Hesperia Municipal Code Chapter 16.24 as required and schedule a preconstruction site inspection with the Planning Division and the Building Division. The application shall include certification from a qualified Joshua tree and native desert plant expert(s) to determine that proposed removal or relocation of protected native desert plants are appropriate, supportive of a healthy environment, and in compliance with the City of Hesperia Municipal Code. Protected plants subject to Hesperia Municipal Code Chapter 16.24 may be relocated on-site, or within an area designated as an area for species to be adopted later. The application shall include a detailed plan for the removal of all protected plants on the Project site. The plan shall be prepared by a qualified Joshua tree and native desert plant expert(s). The plan shall include, but not be limited to, the following measures:</p> <p>Salvaged plants shall be transplanted expeditiously to either their final on-site location, or to an approved off-site area. If the plants cannot be expeditiously taken to their permanent relocation area at the time of excavation, they may be transplanted in a temporary area (stockpiled) prior to being moved to their permanent relocation site(s).</p> <p>Western Joshua trees shall be marked on their north facing side prior to excavation. Transplanted western Joshua trees shall be planted in the same orientation as they currently occur on the Project site, with the marking on the north side of the trees facing north at the relocation site(s).</p> <p>Transplanted plants shall be watered prior to and at the time of transplantation. The schedule of watering shall be determined by the qualified tree expert and desert native plant expert(s) to maintain plant health. Watering of the transplanted plants shall continue under the guidance of qualified tree expert and desert native plant expert(s) until it has been</p> | <p>Prior to grading permit</p> <p>No longer required by the Native Plant Species Act pursuant to the Western Joshua Tree Conservation Act. Locally, the City has determined that Mitigation Measure BIO-2 fulfills the requirements of this measure. Therefore, this action is no longer required.</p> | <p>City of Hesperia Planning Department.</p> | |

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| determined that the transplants have become established in the permanent relocation site(s) and no longer require supplemental watering. | | | |
| <p>Mitigation Measure BIO-2: Conservation of Western Joshua Tree Lands (CESA)</p> <p>In the case that the California Fish and Game Commission lists western Joshua trees as threatened under the California Endangered Species Act, the following measure will be implemented:</p> <p>Prior to the initiation of Joshua tree removal, obtain California Endangered Species Act (CESA) ITP under Section 2081 of the Fish and Game Code. The Project Applicant will adhere to measures and conditions set forth within the ITP.</p> <p>Mitigation for direct impacts to western Joshua trees shall be fulfilled through conservation of western Joshua trees at a 1:1 habitat replacement ratio, of equal or better functions and values to those impacted by the Project. Mitigation can be through purchases of credits at a California Department of Fish and Wildlife (CDFW)-approved mitigation bank for western Joshua tree. Additionally, no take of western Joshua tree will occur without authorization from CDFW in the form of an ITP pursuant to Fish and Game Code 2081.</p> <p>Name, qualifications, business address, and contact information of a biological monitor (designated botanist) shall be submitted to CDFW at least 30 days prior to Project activities. The designated botanist shall be responsible for monitoring Project activities to help minimize and fully mitigate or avoid incidental take of Joshua trees.</p> <p>The designated botanist shall have authority to immediately stop any activity that does not comply with the ITP, and/or to order any reasonable measure to avoid unauthorized take of an individual Joshua tree.</p> <p>The Project analyzed impacts to western Joshua trees, which by applying the 186-foot buffer zone overlap with the adjacent proposed developments. Any impacts to overlapping Joshua trees will be analyzed by CDFW to ensure no Joshua trees are mitigated twice.</p> <p>The Western Joshua Tree Conservation Act is currently under consideration has been approved by the California Fish and Game Commission. In the event that the The Western Joshua Tree Conservation Act is now in effect, implemented, effectively replacing the function of species protection under which provides an alternative mitigation option to traditional CESA mitigation. An Alternative Western Joshua Tree Conservation Act habitat replacement mitigation mechanisms, providing equal or better function and value to existing mechanisms under CESA, will be implemented in</p> | <p>Proof of approval from CDFW regarding compliance with mitigation and/or payment of in-lieu fees per the Western Joshua Tree Conservation Act. Prior to grading permit.</p> | <p>City of Hesperia Planning Department/CDFW/Qualified Biologist</p> | |

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| combination with traditional mitigation banking or in lieu of mitigation banking as required allowed under state law. | | | |
| MM BIO-3 Compliance Monitoring. The Designated Biologist shall be on site daily when impacts occur. The Designated Biologist shall conduct compliance inspections to minimize incidental take of western Joshua trees and impacts to other sensitive biological resources; prevent unlawful take of western Joshua trees; and ensure that signs, stakes, and fencing are intact, and that impacts are only occurring outside the permitted impact footprint. Weekly written observation and inspection records that summarize oversight activities and compliance inspections and monitoring activities required by the ITP shall be prepared. | Weekly submittal of Joshua tree compliance monitoring log. During site clearing. | City of Hesperia Planning Department/Qualified Biologist | |
| MM BIO-4 Education Program. An education program (Worker Environmental Awareness Program [WEAP]) for all persons employed or otherwise working in the Project area shall be administered before performing impacts. The WEAP shall consist of a presentation from the Designated Biologist that includes a discussion of the biology and status of western Joshua tree, burrowing owl, and loggerhead shrike; and other biological resources mitigation measures described in the California Environmental Quality Act document. Interpretation for non-English-speaking workers will be provided, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project area. Upon completion of the WEAP, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees who will be conducting work in the Project area. | During construction. | City of Hesperia. | |
| MM BIO-5 Construction Monitoring Notebook. The Designated Biologist shall maintain a construction monitoring notebook on site throughout the construction period, which shall include a copy of the biological resources mitigation measures with attachments and a list of signatures of all personnel who have successfully completed the education program. The permittee shall ensure that a copy of the construction monitoring notebook is available for review at the Project site upon request by the California Department of Fish and Wildlife. | During construction. | City of Hesperia. | |
| MM BIO-6 Delineation of Property Boundaries. Before beginning activities that would cause impacts, the contractor shall, in consultation with the Designated Biologist, clearly delineate the boundaries with fencing, stakes, or flags, consistent with the grading plan, within which the impacts will take place. All impacts outside the fenced, staked, or flagged areas shall be avoided, and all fencing, stakes, and flags shall be maintained until the completion of impacts in that area. | Prior to commencement of ground disturbing activities | City of Hesperia | |

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| MM BIO-7 Hazardous Waste. The Applicant shall immediately stop work and, pursuant to pertinent state and federal statutes and regulations, arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills at the time of occurrence, or as soon as it is safe to do so. | During construction. | City of Hesperia. | |
| MM BIO-8 Herbicides. The Applicant shall limit herbicide use for invasive plant species and shall use herbicides only if it has been determined that hand or mechanical efforts are infeasible. To prevent drift, the permittee shall apply herbicides only when wind speeds are less than 7 miles per hour. All herbicide application shall be performed by a licensed applicator and in accordance with all applicable federal, state, and local laws and regulations. | During construction. | City of Hesperia. | |
| MM BIO-9: Pre-construction Nesting Bird Survey. Pre-construction Nesting Bird Surveys and Avoidance. Project construction would be avoided during bird nesting season (typically February 1 through August 31). In the event construction is required to occur during bird nesting season, construction activities shall avoid the migratory bird nesting season, to reduce any potential significant impact to birds that may be nesting on the survey area. If construction activities must occur during the migratory bird nesting season, an avian nesting survey of the Project site and within 500 feet of all impact areas must be conducted to determine the presence/absence of protected migratory birds and active nests. The avian nesting survey shall be performed by a qualified wildlife biologist within 72 hours prior to the start of construction in accordance with the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 3513. If an active bird nest is found, the nest shall be flagged and mapped on the construction plans along with an appropriate buffer established around the nest, which will be determined by the biologist based on the species' sensitivity to disturbance (typically 300 feet for passerines and 500 feet for raptors and special-status species). The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing. On-site construction monitoring shall also be conducted when construction occurs in close proximity to an active nest buffer. No Project activities may encroach into established buffers without the consent of a monitoring biologist. The buffer shall remain in place until it is determined the nestlings have fledged and the nest is no longer considered active. | Within 72 hours prior to the start of construction (if between February 1 through August 31). | City of Hesperia Planning Department/Qualified Biologist | |
| MM BIO-10: Pre-construction Surveys for Burrowing Owl. One pre-construction burrowing owl survey shall be completed no more than 14 days before initiation of site preparation or grading activities. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction surveys, the Project site shall be resurveyed. Surveys for | First survey no more than 14 days before initiation of site preparation or grading activities. | City of Hesperia Planning Department/Qualified Biologist | |

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| <p>burrowing owl shall be conducted in accordance with protocols established in the Staff Report on Burrowing Owl Mitigation (prepared by the California Department of Fish and Game [now California Department of Fish and Wildlife] in 2012) or current version.</p> <p>If burrowing owls are detected, the Burrowing Owl Relocation Plan shall be implemented in consultation with the California Department of Fish and Wildlife (CDFW). As required by the Burrowing Owl Relocation Plan, disturbance to burrows shall be avoided during the nesting season (February 1 through August 31). Buffers will be established around occupied burrows in accordance with guidance provided in the Staff Report on Burrowing Owl Mitigation or current version. No Project activities shall be allowed to encroach into established buffers without the consent of a monitoring biologist. The buffer shall remain in place until it is determined that occupied burrows have been vacated or the nesting season has completed.</p> <p>Outside of the nesting season, passive owl relocation techniques approved by CDFW shall be implemented. Owls shall be excluded from burrows in the immediate Project area and within a buffer zone by installing one-way doors in burrow entrances. These doors will be placed at least 48 hours prior to ground-disturbing activities. The Project area shall be monitored daily for one week to confirm owl departure from burrows prior to any ground-disturbing activities. Compensatory mitigation for permanent loss of owl habitat will be provided following the guidance in the Staff Report on Burrowing Owl Mitigation or current version.</p> <p>Where possible, burrows will be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe shall be inserted into the tunnels during excavation to maintain an escape route for any wildlife inside the burrow.</p> | <p>Second Survey within 24 hours of the start of site preparation or grading activities.</p> | | |
| <p>MM BIO-11: Pre-construction Surveys for Crotch Bumble Bee. In the event that grading starts between April and August, a pre-construction survey for Crotch bumble bee shall be conducted by a qualified biologist within the construction area during the primary flight period (April through August) prior to the start of construction activities. The survey shall ensure that no nests for Crotch bumble bee are located within the construction area. Crotch bumble bee is a habitat generalist, ground-nesting bee. For the purposes of this mitigation measure, nest resources are defined as small mammal burrows, bunch grasses with a duff layer, thatch, hollow trees, rock walls, and brush piles.</p> | <p>Prior to the start of construction (if between April and August).</p> | <p>City of Hesperia Planning Department/Qualified Biologist</p> | |

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| <p>On June 6, 2023, the California Department of Fish and Wildlife (CDFW) released the “Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species”. The pre-construction survey shall follow the guidance included within “Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species”.</p> <p>If nest resources occupied by Crotch bumble bee are detected within the construction area, no construction activities shall occur within 100 feet of the construction zone, or as determined by a qualified biologist through evaluation of topographic features or distribution of floral resources. The nest resources will be avoided for the duration of the Crotch bumble bee nesting period (February 1 through October 31).</p> <p>If the above measures are followed, it is assumed that the Project shall not need to obtain authorization from CDFW through the California Endangered Species Act ITP process.</p> <p>If the nest resources cannot be avoided, as outlined in this measure, the project applicant will consult with CDFW regarding the need to obtain an ITP. Any measures determined to be necessary through the ITP process to offset impacts to Crotch bumble bee may supersede measures provided in this CEQA document and shall be incorporated into the habitat mitigation and monitoring plan. In the event an ITP is needed, mitigation for direct impacts to Crotch bumble bee will be fulfilled through compensatory mitigation at a minimum 1:1 nesting habitat replacement of equal or better functions and values to those impacted by the Project, or as otherwise determined through the ITP process. Mitigation will be accomplished either through off-site conservation or through a CDFW-approved mitigation bank.</p> | | | |
| <p>MM BIO-12: Lighting. Lighting for construction activities and operations within 50 feet of the outside edge of the impact footprint containing habitat for special-status wildlife will be directed away from natural areas.</p> | During construction. | City of Hesperia. | |
| <p>MM BIO-13: Invasive Plant Management. To reduce the spread of invasive plant species, landscape plants within 200 feet of native vegetation communities shall not be on the most recent version of the California Invasive Plant Council’s Inventory of Invasive Plants (http://www.cal-ipc.org/ip/inventory/index.php). Post-construction, the Project applicant shall continually remove invasive plant species on site by hand or mechanical methods, as feasible.</p> | During construction. | City of Hesperia. | |
| CULTURAL RESOURCES | | | |

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| <p>Mitigation Measure CUL-1: Archaeological Monitoring. Prior to the issuance of the first grading permit, the applicant shall provide a letter to the City Planning Division, or designee, from a qualified professional archeologist meeting the Secretary of Interior's Professional Qualifications for Archaeology as defined at 36 CFR Part 61, Appendix A, stating that qualified archeologists have been retained and will be present at pre-grade meetings and for all initial ground disturbing activities, up to five feet in depth.</p> <p>In the event that a resource is inadvertently discovered during ground-disturbing activities, work must be halted within 60 feet of the find until it can be evaluated by the qualified archaeologist. Construction activities could continue in other areas. If the find is considered a "resource" the archaeologist shall pursue either protection in place or recovery, salvage and treatment of the deposits. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4 in consultation with the City. Per CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if unique archaeological resources cannot be preserved in place or left in an undisturbed state, recovery, salvage, and treatment shall be required at the developer/applicant's expense. 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 Yuhaaviatam of San Manuel Nation (YSMN) for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.</p> | Retain archaeological monitor and submit letter. Prior to grading permit. | City of Hesperia Planning Department/Qualified Archaeologist | |
| GEOLOGY & SOILS | | | |
| <p>Mitigation Measure GEO-1: Incorporation of and Compliance with the Recommendations in the Geotechnical Investigation. Prior to issuance of grading and building permits, the Hesperia Building Department shall verify all recommendations included in the Geotechnical Investigation prepared for the project by Advanced Geotechnical Solutions, Inc., in March 2022 are incorporated into all design and engineering plans including, but not limited to site preparation, grading, fill placement, foundations, pavement design, seismic design, etc.</p> | Verify completion of recommendations prior to grading. | City of Hesperia | |

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| <p>Mitigation Measure PAL-1: Paleontological Resource Management Plan. Prior to the start of construction, a Paleontological Resources Management Plan (PRMP) shall be prepared by a qualified Paleontologist and include the following procedures:</p> <p>Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by a qualified paleontologist or paleontological monitor. Starting at the surface, monitoring will be conducted fulltime in areas of grading or excavation in undisturbed alluvial deposits.</p> <p>Development of an inadvertent discovery plan to expediently address treatment of paleontological resources should any be encountered during development associated with the Project. If these resources are inadvertently discovered during ground-disturbing activities, work must be halted within 50 feet of the find until it can be evaluated by a qualified paleontologist. Construction activities could continue in other areas. If the discovery proves to be significant, additional work, such as fossil collection and curation, may be warranted and would be discussed in consultation with the appropriate regulatory agency(ies).</p> | <p>Prepare a PRMP. Prior to grading permit.</p> | <p>City of Hesperia Planning Department/Qualified Paleontologist</p> | |
| <p>GREENHOUSE GAS EMISSIONS</p> | | | |
| <p>Mitigation Measure GHG-1: Prior to issuance of a building permit, the City of Hesperia shall identify project design details and specifications to document implementation and compliance with the following emission reduction measures. Implementation of the following measures will be required prior to building permits and is considered to be applicable, feasible, and effective in reducing greenhouse gas emissions generated by the project:</p> <p>Use the cleanest technologies available and provide the necessary infrastructure to support zero-emission vehicles and equipment that will be operating on site, including but not limited to running conduit to dock doors to allow for future plug-in of TRUs or truck charging.</p> <p>All loading/unloading docks and trailer spaces shall be equipped with electrical hookups for trucks with transport refrigeration units (TRU) or auxiliary power units. This requirement will substantially decrease the amount of time that a TRU powered by a fossil-fueled internal combustion engine can operate at the project site. Use of zero-emission all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration shall be encouraged for operational fleets.</p> | <p>Prior to building permit (construction-related measures will be confirmed prior to grading permit)</p> | <p>City of Hesperia Planning Department</p> | |

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| <p>All TRUs operated by the owner/applicant entering the Project site be shall plug-in capable.</p> <p>Operational fleets shall exclusively use zero-emission light and medium-duty delivery trucks and vans when feasible.</p> <p>All heavy-duty trucks entering or operated by the owner/applicant on the Project site shall be model year 2014 or later.</p> <p>The Project Applicant shall be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation, Periodic Smoke Inspection Program (PSIP), and the Statewide Truck and Bus Regulation.</p> <p>Trucks and support equipment shall be prohibited from idling longer than fivethree minutes while on site.</p> <p>On-site TRU diesel engine runtime shall be limited to no longer than 15 minutes.</p> <p>Include rooftop solar panels that and supply 100 percent of Project electricity from renewable energy resources.</p> <p>Implement a transportation demand program. Program measures may include free transit passes for employees, electric rideshare vehicles for employees, and construction of additional transit infrastructure at the Project site (see Mitigation Measure T-1 of Section 5.12, Transportation).</p> <p>Implement a zero-waste program or other feasible waste reduction measures such as composting waste food scraps from employee activities and food waste processing.</p> <p>Install water-efficient fixtures (toilets, faucets, showers), water efficient landscape irrigation systems (drip irrigation with control panel and soil moisture sensors), and water efficient landscaping.</p> <p>Keep onsite and furnishing to the lead agency of other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classification.</p> <p>Provide information on transit and ridesharing programs and services to construction employees.</p> <p>Provide information on nearby meal/dining destinations for construction workers.</p> <p>Run conduit to designated locations for future vehicle electric charging stations.</p> | | | |
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| <p>Expand the electrical room by 10 percent to (25 percent total) to accommodate future expansion of electric vehicle charging capability.</p> <p>Run conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations.</p> <p>The building shall have breakroom with food storage capabilities.</p> <p>Signs shall be posted at every truck exist driveway to provide directional information to the truck route.</p> <p>The owner shall provide any future tenants with information on incentive programs, such as Carl Moyer program and Voucher Incentive Program, to upgrade their fleets.</p> | | | |
| TRANSPORTATION | | | |
| <p>Mitigation Measure T-1: The Project applicant shall implement Commute Trip Reduction Marketing (CAPCOA Measure T-7), provide a Ridesharing Program (CAPCOA Measure T-8), and provide end of trip bicycle facilities (CAPCOA Measure T-10) to encourage employees carpooling, taking transit, and biking to work. 100 percent of employees would be eligible to participate in all identified measures. Each measure is discussed further below:</p> <p>Implement Commute Trip Reduction Marketing (CAPCOA Measure T-7). A CTR Marketing strategy includes information sharing and marketing to promote and educate employees about their travel choices to the employment location. This measure would require an on-site employee transportation coordinator and commuter information services, and on-site or online transit pass sales.</p> <p>Provide Ridesharing Program (CAPCOA Measure T-8). Incentives for carpooling or vanpooling such as priority parking spaces and/or a daily or monthly stipend for participants. Additional incentives for carpool and/or vanpool drivers could also be provided. Preferred parking for carpool or vanpool vehicles.</p> <p>Provide End-of-Trip Bicycle Facilities (CAPCOA Measure T-10). This measure includes installation and maintenance of end-of-trip facilities for employee use that facilitate bicycling to work. Facilities could include bike parking, bike lockers, personal lockers and shower facilities. Initially, the project shall provide secure bicycle parking (bicycle racks or lockers) for at least 9 bicycles (consistent with San Bernardino County Code Section 83.14.030 which requires secure bicycle parking at a rate of one per 30 parking spaces).</p> | Prior to occupancy | City of Hesperia Planning Department | |

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| <p>To comply with components 1 and 2 of MM T-1, tenants of the Project could participate in the IE Commuter program (iecommuter.org) or alternative program. Monitoring of the program shall be conducted by the onsite transportation coordinator and an annual report shall be provided to the City. The report shall include a summary of the current CTR program, the number of employees participating in the program, summary of any partnerships with outside agencies such as IE Commuter, and total amount of subsidies provided by type (if any). If project tenants choose to comply with MM T-1 via participation in the IE Commuter program, then the Commute Activity Report provided by IE Commuter shall be sufficient for annual reporting.</p> | | | |
| TRIBAL CULTURAL | | | |
| <p>Mitigation Measure TCR-1: The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in Mitigation Measure CUL-1, 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 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.</p> | During construction. | City of Hesperia. | |
| <p>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 applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.</p> | During construction. | City of Hesperia. | |
| <p>Main Street and Freeway Corridor Specific Plan Final Environmental Impact Report Mitigation included the following applicable mitigation measure: Mitigation Measure 6 (from Main Street and Freeway Corridor Specific Plan): The landowner will relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the appropriate Tribe for proper treatment and disposition.</p> | During construction. | City of Hesperia. | |

Plans Programs and Policies

The following Plans Programs and Policies (PPPs) that are listed below would reduce impacts related to hydrology and water quality. These actions will be included in the project's mitigation monitoring and reporting program:

**TABLE 4-2: PLANS PROGRAMS AND POLICIES
KISS LOGISTICS CENTER PROJECT EIR**

| Regulatory Requirement /Project Design Feature/ Mitigation Measure | Timing | Responsible for Ensuring Compliance / Verification | Date Completed and Initials |
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| PPP WQ-1: NPDES/SWPPP. Prior to issuance of any grading permits, the applicant shall provide the City Building and Safety Department evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site. | Prior to grading permit | City of Hesperia | |
| PPP WQ-2: WQMP. Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the Public Works Department. The WQMP shall be submitted using the Mojave River Watershed Technical Guidance Document for Water Quality Management Plans and shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters. | Prior to construction permit | City of Hesperia | |

PROJECT DESIGN FEATURES

The following design features would be implemented as part of the Project and would reduce Project GHG emissions:

PDF-1 Renewable energy system/solar electricity generation and battery system – 90 kilowatt hours (kWh) generation and 38 kwh battery to allow for peak energy usage offset;

PDF-2 Automatic Light Switches;

PDF-3 Control receptacles (shut off after certain durations);

PDF-4 The proposed building would be designed to Leadership in Energy and Environmental Design (LEED) certification standards;

PDF-5 EV chargers would be installed per Title 24 requirements day one;

PDF-6 Low volatile organic compound (VOC) coatings and paint (less than 10 grams per liter);

PDF-7 Vistacool layer and Solarban layer on exterior glazing which reduces energy consumption due to solar heat gain.

BEST PRACTICES

The Project would implement voluntary best practices which would include the following:

- “Use the cleanest technologies available”...
- Operational fleets shall exclusively use zero-emission light and medium-duty delivery trucks and vans when feasible.