

# Appendix H

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Mitigation Monitoring and Reporting Program

# Mitigation Monitoring and Reporting Program

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The California Environmental Quality Act (CEQA) requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Fiscal Year 2020-2021 Non-Potable Water (NPW) Connections Project (“proposed project”), located in the cities of Palm Desert, Rancho Mirage, Indian Wells, and La Quinta in Riverside County, as well as the community of Thousand Palms in unincorporated Riverside County. This MMRP is designed to facilitate compliance of the project with adopted mitigation measures during project implementation. For each mitigation measure identified in the Final Initial Study-Mitigated Negative Declaration (Final IS-MND), specifications are made herein that identify the action required and the monitoring that must occur. The Coachella Valley Water District (CVWD) is the CEQA Lead Agency for the project, and is therefore responsible for verifying compliance with individual conditions of approval contained in this MMRP. The following table includes columns for recording compliance with this MMRP.

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Mitigation Measure/Condition of Approval	Action Required	Timing	Monitoring Frequency	Responsible Party	Compliance Verification			
					Initial	Date	Comments	
<b>Biological Resources</b>								
<b>BIO-1</b>	<p><b>Nesting Birds.</b> Project-related activities should occur outside of the bird breeding season (typically January 1 to September 15 to account for both passerines and raptors) to the extent practicable. If construction must occur within the bird breeding season, then no more than three days prior to initiation of ground disturbance and/or vegetation removal, a nesting bird and raptor pre-construction survey shall be conducted by a qualified biologist within the disturbance footprint plus a 100-foot buffer (500-foot for raptors), where feasible. If the proposed project is phased or construction activities stop for more than one week during the nesting season, a subsequent pre-construction nesting bird and raptor survey would be required prior to re-initiation of construction during the nesting season.</p> <p>Pre-construction nesting bird and raptor surveys shall be conducted during the time of day when birds are active and shall factor in sufficient time to perform this survey adequately and completely. A report of the nesting bird and raptor survey results, if applicable, shall be submitted to the lead agency for review and approval prior to ground and/or vegetation disturbance activities.</p> <p>If nests are found, their locations shall be flagged. An appropriate avoidance buffer of at least 25 feet for passerines, and up to 500 feet for raptors, depending upon the species, proposed work activity, and CDFW approval, shall be determined and demarcated by a qualified biologist with bright orange construction fencing or other suitable flagging. Buffers will be determined in conjunction with CDFW through the development of a nesting bird management plan. Active nests shall be</p>	<p>If project construction commences between January 1 and September 15<sup>1</sup>, verify that a nesting bird and raptor survey has been performed by a qualified biologist no more than three days prior to initiation of ground disturbance and/or vegetation removal. If an active nest is encountered, confirm that the proper setbacks and buffers are established and maintained.</p>	<p>Prior to start of each new construction phase.</p>	<p>Periodically, prior to start of each new construction phase, if applicable</p>	<p>Qualified Biologist (to be arranged by CVWD Construction Contractor and confirmed by CVWD Project Manager)</p>			

<sup>1</sup> Although the nesting season typically occurs between February 1 and August 31, nesting has been detected as early as January 1 and as late as September 15.

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<p>monitored at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults. No ground disturbance shall occur within this buffer until the qualified biologist confirms that the breeding/nesting is complete and all the young have fledged. If project activities must occur within the buffer, they shall be conducted at the discretion of the qualified biologist. If no nesting birds are observed during pre-construction surveys, no further actions would be necessary.</p>							
<p><b>BIO-2</b> <b>CVMSHCP/NCCP Land Use Adjacency Guidelines.</b> The following Section 4.5 Land Use Adjacency Guidelines shall be implemented where applicable to minimize edge effects to adjacent Conservation Areas:</p> <ul style="list-style-type: none"> <li>▪ <b>Drainage.</b> Proposed development adjacent to or within a Conservation Area shall incorporate plans to ensure that the quantity and quality of runoff discharged to the adjacent Conservation Area is not altered in an adverse way when compared with existing conditions. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area.</li> <li>▪ <b>Toxics.</b> Land uses proposed adjacent to or within a Conservation Area that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife and plant species, habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in any discharge to the adjacent Conservation Area.</li> <li>▪ <b>Lighting.</b> For proposed development adjacent to or within a Conservation Area, lighting shall</li> </ul>	<p>For all portions of the project that are located within 500 feet of the Coachella Valley MSCHP, including the Natural Community Conservation Plan (NCCP) as defined by CDFW. Project activities shall be reviewed for consistency with the topics of this measure, including Drainage, Toxics, Lighting, Noise, Invasives, Barriers, and Grading / Land Development. All requirements specified in this measure shall be implemented during project construction as applicable.</p>	<p>Prior to and during construction of any project components requiring activities within 500 feet of the CVMSHCP / NCCP.</p>	<p>Periodically throughout the duration of construction within 500 feet of the Coachella Valley MSHCP / NCCP.</p>	<p>CVWD Construction Contractor</p>			

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	<p>be shielded and directed toward the developed area. Landscape shielding or other appropriate methods shall be incorporated in project designs to minimize the effects of lighting adjacent to or within the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.</p> <ul style="list-style-type: none"> <li>▪ <b>Noise.</b> Proposed development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA Leq hourly shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.</li> <li>▪ <b>Invasives.</b> Invasive, non-native plant species shall not be incorporated in the landscape for land uses adjacent to or within a Conservation Area. Landscape treatments within or adjacent to a Conservation Area shall incorporate native plant materials to the maximum extent feasible; recommended native species are listed in Table 4-112 of the CVMSHCP/NCCP. The plants listed in Table 4-113 of the CVMSHCP/NCCP shall not be used within or adjacent to a Conservation Area. This list may be amended from time to time through a Minor Amendment with Wildlife Agency Concurrence.</li> <li>▪ <b>Barriers.</b> Land uses adjacent to or within a Conservation Area shall incorporate barriers in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping in a Conservation Area. Such barriers may include native landscaping, rocks/boulders, fencing, walls and/or signage.</li> <li>▪ <b>Grading/Land Development.</b> Manufactured slopes associated with site development shall</li> </ul>						

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not extend into adjacent land in a Conservation Area.								
<b>Cultural Resources<sup>1</sup></b>								
<b>CR-1</b>	<b>Worker Environmental Awareness Program.</b> A qualified archaeologist, defined as an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archaeology (National Park Service 1983), shall conduct Worker’s Environmental Awareness Program (WEAP) training on archaeological sensitivity for all construction personnel and the Native American monitor prior to the commencement of any ground-disturbing activities. Archaeological sensitivity training shall include a description of the types of cultural material that may be encountered, cultural sensitivity issues, regulatory issues, and the proper protocol for treatment of the materials in the event of a find. Protocols will include the immediate cessation of all ground disturbing activities in the vicinity of an unanticipated discovery of an archaeological resource, until the sensitivity of the resource has been assessed and subsequent actions are identified by a qualified archaeologist. A sign-in sheet for WEAP training attendees will be documented and maintained on-file.	A qualified archaeologist shall conduct a WEAP addressing cultural resources for all construction personnel and a Native American monitor. The WEAP may be recorded for showing to new workers joining construction activities after the initial WEAP training; if the WEAP is not recorded, in-person training must be repeated for all new construction personnel.	The WEAP shall occur prior to ground-disturbing construction activities, and the WEAP sign-in sheet shall be maintained on file.	As needed to ensure that WEAP training is provided to all workers prior to any participation in ground-disturbing activities.	Qualified Archaeologist (to be arranged by CVWD Construction Contractor and confirmed by CVWD Project Manager)			
<b>CR-1</b>	<b>Construction Monitoring.</b> During all project ground disturbance in areas with known sensitivity for cultural resources, project activities shall be observed by a qualified archaeological monitor or a qualified Native American monitor, defined as an individual from a local tribe as listed by the Native American Heritage Commission. Daily monitoring logs with supporting photographic evidence shall be documented and maintained on-file. The qualified archaeologist or the Native American monitor, in consultation with CVWD, may	A qualified archaeologist or a qualified Native American monitor shall observe all ground disturbing activities in areas with known sensitivity for cultural resources, including preparation of monitoring logs with photographic evidence.  If resources are	During all ground disturbing activities in areas with cultural resources, unless and until it is determined that monitoring may be reduced or terminated based on observed conditions (e.g., no	Daily during ground disturbing activities in areas of known cultural resources.	Qualified Archaeological Monitor or Qualified Native American Monitor (to be arranged by CVWD Construction Contractor and			

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recommend the reduction or termination of monitoring depending upon observed conditions (e.g., no resources encountered within the first 50 percent of ground disturbance). If archaeological or Native American resources are encountered during ground-disturbing activities, work within a minimum of 50 feet of the find must halt and the find evaluated for CRHR and NRHP eligibility. Should an unanticipated resource be found as CRHR or NRHP eligible and avoidance is infeasible, additional analysis (e.g., testing) may be necessary.	encountered, work within 50 feet of the find must halt and the find evaluated for CRHR and NRHP eligibility. Should an unanticipated resource be found as CRHR or NRHP eligible and avoidance is infeasible, additional analysis (e.g., testing) may be necessary.	resources encountered with the first 50 percent of ground disturbance).		confirmed by CVWD Project Manager)				
<b>Geology and Soils</b>								
<b>GEO-1</b>	<p>Prior to any project ground disturbance, CVWD shall retain a qualified, professional paleontologist to prepare a Worker’s Environmental Awareness Program (WEAP), which shall be used to train all site personnel prior to the start of work. The WEAP training will include at a minimum the following information:</p> <ul style="list-style-type: none"> <li>▪ Review of local and state laws and regulations pertaining to paleontological resources</li> <li>▪ Types of fossils that could be encountered during ground disturbing activity</li> <li>▪ Photos of example fossils that could occur on site for reference</li> <li>▪ Instructions on the procedures to be implemented should unanticipated fossils be encountered during construction, including stopping work in the vicinity of the find and contacting a qualified professional paleontologist</li> </ul>	<p>Prepare and provide a WEAP training for paleontological resources to all construction personnel.</p> <p>Note: The GEO-1 WEAP may be conducted concurrent with the CR-1 WEAP, as long as the respective identified professionals are present for each WEAP training.</p> <p>The WEAP may be recorded for showing to new workers joining construction activities after the initial WEAP training; if the WEAP is not recorded, in-person training must be repeated for all new construction personnel.</p>	Prior to the start of ground disturbing activities.	As needed to ensure that WEAP training is provided to all workers prior to any participation in ground-disturbing activities.	Qualified Paleontologist (to be arranged by CVWD Construction Contractor and confirmed by CVWD Project Manager)			
<b>GEO-2</b>	<p><b>Unanticipated Discovery of Paleontological Resources.</b> In the event an unanticipated fossil discovery is made during the course of project development, the worker shall immediately notify CVWD’s construction inspector to request temporary halting of construction activity in the immediate vicinity of the fossil, and the qualified</p>	<p>Notify the qualified paleontologist in the event of a find.</p> <p>Monitor ground-disturbing construction activities and request temporary halting of activity in the vicinity of an</p>	Throughout the construction period.	As needed during ground-disturbing construction activities.	CVWD Construction Contractor			

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<p>professional paleontologist will be notified to evaluate the discovery, determine its significance, and determine if additional mitigation or treatment is warranted. Work in the area of the discovery will resume once the find is properly documented and authorization is given to resume construction work. Any significant paleontological resources found during construction monitoring will be prepared, identified, analyzed, and permanently curated in an approved regional museum repository under the oversight of the qualified paleontologist.</p>	<p>identified fossil. Address any found fossil, which may include curation.</p>						
<b>Transportation</b>							
<p><b>TRA-1</b> <b>Emergency Service Providers.</b> Prior to construction, CVWD’s Project Manager shall notify emergency service providers (fire and police departments within a 0.5-mile radius of the alignment) with construction contact names, locations, schedules, and traffic plans, if applicable.</p>	<p>Confirm that fire and police departments within 0.5 mile of the project alignment have been provided with appropriate contact information and traffic plans.</p>	<p>Prior to start of construction</p>	<p>Once, to confirm that appropriate agencies have been identified and coordinated with.</p>	<p>CVWD Project Manager</p>			
<p><b>TRA-2</b> <b>Traffic Control Plan and Notification of Construction to Service Providers and Educational Institutions.</b> To mitigate temporary traffic disruption and ensure public safety, the construction contractor shall prepare a traffic control plan for construction areas located in or near roadways whose traffic volumes exceed Riverside County Acceptable Levels of Service or the affected city’s criteria. The construction contractors will provide the traffic control plans to CVWD’s Construction Inspector. In addition, fourteen days prior to commencement of project construction, construction notifications will be sent to police departments, fire departments, hospitals, and schools located within a 0.5-mile radius of the project site so that detour routes for</p>	<p>Prepare and implement a traffic control plan for the construction areas located in or near roadways which exceed Riverside County Levels of Service or the affected City criteria.  Fourteen days prior to construction, send construction notifications to fire departments, hospitals, and schools within 0.5 mile, to plan emergency response routes around project activities, if needed.</p>	<p>Prior to start of construction</p>	<p>Once, to confirm that appropriate agencies have been identified and coordinated with.</p>	<p>CVWD Construction Contractor</p>			

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emergency responses can be planned for the construction period.							
<b>TRA-3 High Volume Intersections.</b> High volume intersections (those in which traffic volumes exceed city or county acceptable levels of service criteria) will be avoided if possible and identified in the Traffic Control Plan.	Verify that the traffic control plan (identified under MM TRA-2) includes measures to avoid high-volume intersections where possible.	Prior to start of construction	Periodically throughout construction.	CVWD Construction Contractor			