



# Highgrove Residential and Commercial Development At Mount Vernon Avenue and Center Street Project

## Appendix M

### Mitigation, Monitoring and Reporting Plan



## Highgrove Residential and Commercial Project Initial Study/Mitigated Negative Declaration

### Terms and Definitions:

1. **Property Owner/Developer** – Owner or developer of Highgrove Residential and Commercial Development Project.
2. **Environmental Equivalent/Timing** – Any mitigation measure and timing thereof, subject to the approval of the County, which will have the same or superior result and will have the same or superior effect on the environment. The Planning Department, in conjunction with any appropriate agencies or County departments, shall determine the adequacy of any proposed "environmental equivalent/timing" and, if determined necessary, may refer said determination to the Board of Supervisors. Any costs associated with information required in order to make a determination of environmental equivalency/timing shall be done by the property owner/developer. Staff time for reviews will be charged on a time and materials basis at the rate in the County's adopted Fee Schedule.
3. **Implementation Timing** – This is the point where a mitigation measure must be monitored for compliance. In the case where multiple action items are indicated, it is the first point where compliance associated with the mitigation measure must be monitored. Once the initial action item has been complied with, no additional monitoring pursuant to the Mitigation Monitoring Plan will occur, as routine County practices and procedures will ensure that the intent of the measure has been complied with. For example, if the timing is "to be shown on approved building plans" subsequent to issuance of the building permit consistent with the approved plans will be final building and zoning inspections pursuant to the building permit to ensure compliance.
4. **Responsibility Monitoring Party** – Shall mean that compliance with the subject mitigation measure(s) shall be reviewed and determined adequate by all departments listed for each mitigation measure. Outside public agency review is limited to those public agencies specified in the Mitigation Monitoring Plan which have permit authority in conjunction with the mitigation measure.
5. **Ongoing Mitigation Measures** – The mitigation measures that are designated to occur on an ongoing basis as part of this Mitigation Monitoring Plan will be monitored in the form of an annual letter from the property owner/developer in January of each year demonstrating how compliance with the subject measure(s) has been achieved. When compliance with a measure has been demonstrated for a period of one year, monitoring of the measure will be deemed to be satisfied and no further monitoring will occur. For measures that are to be monitored "Ongoing During Construction", the annual letter will review those measures only while construction is occurring; monitoring will be discontinued after construction is complete. A final annual letter will be provided at the close of construction.
6. **Project Design Features** – These design features are proposed with the implementation of the project and are either already depicted on the Proposed Project site plans and architectural plans or are required from County and State Regulations.
7. **Building Permit** – For purposes of this Mitigation Monitoring Plan, a building permit shall be defined as any permit issued for construction of a new building or structural expansion or modification of any existing building, but shall not include any permits required for interior tenant improvements or minor additions to an existing structure or building.



**Highgrove Residential and Commercial Project  
Initial Study/Mitigated Negative Declaration**

**Mitigation Monitoring and Reporting Program**

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/Reporting Method
Cultural Resources	<p><b>MM-CUL-1:</b> Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist has been contracted to implement a Cultural Resource Monitoring Program (CRMP). A CRMP shall be developed in coordination with the consulting tribes that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. This document shall be provided to the County Archaeologist for review and approval prior to issuance of the grading permit.</p> <p>The CRMP shall contain at a minimum the following:</p> <p>Archaeological Monitor An adequate number of qualified archaeological monitors shall be onsite to ensure all earth moving activities are observed for areas being monitored. This includes all grubbing, grading and trenching onsite and for all offsite improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined sand directed by the Project Archaeologist.</p>	Prior to and during grading and construction	Planning, Engineering, and Building Dept.	



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## Highgrove Residential and Commercial Project Initial Study/Mitigated Negative Declaration

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/Reporting Method
	<p>Cultural Sensitivity Training - The Project Archaeologist and if required, a representative designated by the Tribe shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; the areas to be avoided during grading activities; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.</p> <p>Unanticipated Resources - In the event that previously unidentified potentially significant cultural resources are discovered, the Archaeological and/or Tribal Monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Project Archaeologist, in consultation with the Tribal monitor, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. Further, before construction activities are allowed to resume in the affected area, the artifacts shall be</p>			



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**Highgrove Residential and Commercial Project  
Initial Study/Mitigated Negative Declaration**

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	<p>recovered and features recorded using professional archaeological methods. The Project Archaeologist shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed.</p> <p>Artifact Disposition- the landowner(s) shall relinquish ownership of all cultural resources that are unearthed on the Project property during any ground-disturbing activities, including previous investigations and/or Phase III data recovery.</p> <p>The Professional Archaeologist may submit a detailed letter to the County of Riverside during grading requesting a modification to the monitoring program if circumstances are encountered that reduce the need for monitoring.</p>			
Cultural Resources	<p><b>MM-CUL-2:</b> Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and - Planning-CUL. 1 Artifact Disposition (cont.) Not Satisfied free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted by the Coroner within the period specified by law (24 hours). Subsequently, the Native American</p>	During grading and construction	Planning, Engineering, and Building Dept.	



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## Highgrove Residential and Commercial Project Initial Study/Mitigated Negative Declaration

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/Reporting Method
	Heritage Commission shall identify the “Most Likely Descendant”. The Most Likely Descendant shall then make recommendations and engage in consultation with the property owner concerning the treatment of the remains and any associated items as provided in Public Resources Code Section 5097.98..			
Noise	<b>MM-NOI-1:</b> The project applicant shall construct a minimum 5.0-foot high solid wall on the west side of the Lot for Building 15 that is adjacent to Mt Vernon Avenue. The wall shall be constructed of concrete masonry units (CMUs) and shall be free of any decorative cutouts or openings.	During construction	Planning, Engineering, and Building Dept.	Grading Plans; Building Plans; On-site inspections
<b>Project Design Features</b>				
Air Quality	<b>PDF-AQ-1:</b> Prior to issuance of an occupancy permit, the property owner/developer shall provide all single-family homes with separate bins for trash and recycling and shall require that the trash enclosures at the commercial buildings are designed to accommodate both trash and recycle bins.	Prior to occupancy permit	Planning, Engineering, and Building Dept.	
Air Quality	<b>PDF-AQ-2:</b> Prior to issuance of a grading permit, the property owner/developer shall demonstrate on grading plans that the gasoline storage tanks for the proposed gas station be located underground as currently detailed on the Site Plan.	Prior to grading permit	Planning, Engineering, and Building Dept.	
Noise	<b>PDF-NOI-1:</b> Prior to issuance of a building permit, the property owner/developer shall demonstrate on building plans that the proposed homes will utilize standard dual pane windows with a minimum Sound Transmission Class (STC) rating of 26 STC for all conditioned rooms.	Prior to building permit issuance	Building and Planning Dept.	



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## Highgrove Residential and Commercial Project Initial Study/Mitigated Negative Declaration

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/Reporting Method
Noise	<b>PDF-NOI-2:</b> Prior to issuance of a building permit, the property owner/developer shall demonstrate on building plans that the proposed single-family homes will utilize a “windows closed” condition, which requires a means of mechanical ventilation per Chapter 12, Section 1205 of the Uniform Building Code. This shall be achieved with a standard forced air conditioning and heating system with a filtered outside air intake vent for each residential unit.	Prior to building permit issuance	Building and Planning Dept.	
Noise	<b>PDF-NOI-3:</b> Prior to the issuance of the grading permit, the property owner/developer shall submit a construction-related noise mitigation plan to the County for review and approval. The plan shall depict the locations of where construction equipment would operate on the Project Site and how the noise from the construction equipment would be mitigated during construction of the project, through use of such methods as:  <ol style="list-style-type: none"><li>1. Temporary noise attenuation fences;</li><li>2. Preferential location of equipment; and</li><li>3. Use of current noise suppression technology and equipment.</li></ol>	Prior to grading permit issuance	Planning, Engineering, and Building Dept.	
Noise	<b>PDF-NOI-4:</b> Prior to issuance of a grading permit, the property owner/developer shall depict on the grading plans the combination retaining wall and 6-foot-high free-standing wall located between the commercial and residential portions of the Project Site, which shall be constructed first. The free-standing portion of the wall	Prior to grading permit issuance	Planning, Engineering, and Building Dept.	



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**Highgrove Residential and Commercial Project  
Initial Study/Mitigated Negative Declaration**

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/Reporting Method
	shall be constructed of concrete masonry units (CMUs) and shall be free of any decorative cutouts or openings.			
<b>Project Specific Condition of Approval</b>				
Biological Resources	<p><b>COA-BIO-1:</b> 30-day Burrowing Owl Preconstruction Survey</p> <p>Pursuant to Objectives 6 &amp; 7 of the Species Account for the Burrowing Owl included in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), within 30 days prior to the issuance of a grading permit, a pre-construction presence/absence survey for the burrowing owl shall be conducted by a qualified biologist who holds a Memorandum of Understanding with the County. The survey results shall be provided in writing to the Environmental Programs Division (EPD) of the Planning Department. If the grading permit is not obtained within 30 days of the survey, a new survey shall be required.</p> <p>If it is determined that the project site is occupied by the Burrowing Owl, take of “active” nests shall be avoided pursuant to the MSHCP and the Migratory Bird Treaty Act.</p> <p>Burrowing Owl relocation shall only be allowed to take place outside of the burrowing owl nesting season (nesting season is March 1 through August 31) and is required to be performed by a qualified biologist familiar</p>	Prior to grading permit issuance	Riverside County Planning Department, Environmental Programs Division (EPD)	





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**Highgrove Residential and Commercial Project  
Initial Study/Mitigated Negative Declaration**

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/Reporting Method
	<p>with relocation methods. The County Environmental Programs Department shall be consulted to determine appropriate type of relocation (active or passive) and potential translocation sites. Burrowing Owl Protection and Relocation Plans and Biological Monitoring Plans are required to be reviewed and approved by the California Department of Fish and Wildlife.</p>			
<p>Biological Resources</p>	<p><b>COA-BIO-2:</b> Nesting Bird Survey</p> <p>Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season. Nesting bird season is February 15st through August 31st. If habitat or structures that support nesting birds must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted.</p> <p>The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted. Prior to the issuance of a grading permit the project proponent must provide written proof to the Riverside County Planning</p>	<p>Prior to grading or building permit issuance</p>	<p>Riverside County Planning Department, Environmental Programs Division (EPD)</p>	



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## Highgrove Residential and Commercial Project Initial Study/Mitigated Negative Declaration

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	<p>Department, Environmental Programs Division (EPD) that a biologist who holds an MOU with the County of Riverside has been retained to carry out the required survey. Documentation submitted to prove compliance prior to grading permit issuance must at a minimum include the name and contact information for the Consulting Biologist and a signed statement from the Consulting Biologist confirming that they have been contracted by the applicant to conduct a Preconstruction Nesting Bird Survey. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a grading permit.</p> <p>Prior to finalization of a grading permit or prior to issuance of any building permits the projects consulting biologist shall prepare and submit a report to Environmental Programs Division (EPD) documenting the results of the pre-construction nesting bird survey.</p>			
Cultural Resources	<p><b>COA-CUL-1: Artifact Disposition</b></p> <p><i>Artifact disposition</i></p> <p>In the event cultural resources are identified during ground disturbing activities, the landowner(s) shall relinquish ownership of all cultural resources and provide evidence to the satisfaction of the County Archaeologist that all archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), have been handled through the following methods.</p>	Prior to and during grading and construction	Planning, Engineering, and Building Dept.	



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## Highgrove Residential and Commercial Project Initial Study/Mitigated Negative Declaration

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/Reporting Method
	<p><i>Historic Resources</i> All historic archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), have been curated at the Western Science Center, a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.</p> <p><i>Prehistoric and/or Tribal Cultural Resources</i> One of the following treatments shall be applied.</p> <ol style="list-style-type: none"><li>1. Preservation-in-place, if feasible is the preferred option. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.</li><li>2. Reburial of the resources on the Project property. The measures for reburial shall be culturally appropriate as determined through consultation with the consulting Tribe(s) and include, at least, the following: Measures to protect the reburial area from any future impacts in perpetuity. Reburial shall not occur until all required cataloguing (including a complete photographic record) and analysis have been completed on the</li></ol>			



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## Highgrove Residential and Commercial Project Initial Study/Mitigated Negative Declaration

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/Reporting Method
	<p>cultural resources, with the exception that sacred and ceremonial items, burial goods, and Native American human remains are excluded. No cataloguing, analysis, or other studies may occur on human remains grave goods, and sacred and ceremonial items. Any reburial processes shall be culturally appropriate and approved by the consulting tribe(s). Listing of contents and location of the reburial shall be included in the confidential Phase IV Report. The Phase IV Report shall be filed with the County under a confidential cover and not subject to a Public Records Request.</p> <p><i>Human Remains</i> Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted by the Coroner within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant". The Most Likely Descendant shall then make recommendations and engage in consultation with the property owner concerning the treatment of the</p>			



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**Highgrove Residential and Commercial Project  
Initial Study/Mitigated Negative Declaration**

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/Reporting Method
	remains and any associated items as provided in Public Resources Code Section 5097.98.			
Cultural Resources	<p><b>COA-CUL-2:</b> Phase IV Monitoring Report</p> <p>Prior to Grading Permit Final Inspection, a Phase IV Cultural Resources Monitoring Report shall be submitted that complies with the Riverside County Planning Department’s requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the TLMA website. The report shall include results of any feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting and evidence that any artifacts have been treated in accordance to procedures stipulated in the Cultural Resources Management Plan.</p>	Prior to and during grading and construction	Planning, Engineering, and Building Dept.	
Cultural Resources	<p><b>COA-CUL-3:</b> Unanticipated Discoveries</p> <p>The developer/permit holder or any successor in interest shall comply with the following for the life of this permit.</p> <p>If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:</p> <ul style="list-style-type: none"> <li>• All ground disturbance activities within 100 feet of the discovered cultural resource shall be</li> </ul>	Prior to and during grading and construction	Planning, Engineering, and Building Dept.	



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## Highgrove Residential and Commercial Project Initial Study/Mitigated Negative Declaration

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/Reporting Method
	<p>halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist**, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc.) for the cultural resource. Resource evaluations shall be limited to nondestructive analysis.</p> <ul style="list-style-type: none"><li>• Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.</li></ul> <p>* A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other.</p> <p>** If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the significance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.</p>			



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## Highgrove Residential and Commercial Project Initial Study/Mitigated Negative Declaration

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Paleontological Resources	<p><b>COA-PALEO-1: PRIMP</b></p> <p>Prior to issuance of grading permits:</p> <ol style="list-style-type: none"><li>1. The applicant shall retain a qualified paleontologist approved by the County to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist).</li><li>2. The project paleontologist retained shall review the approved development plan and grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for approval prior to issuance of a Grading Permit. Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows:<ol style="list-style-type: none"><li>1. A corresponding County Grading Permit (BGR) Number must be included in the title of the report. PRIMP reports submitted without a BGR number in the title will not be reviewed.</li><li>2. Description of the proposed site and planned grading operations.</li><li>3. Description of the level of monitoring required for all earth-moving activities in the project area.</li></ol></li></ol>	Prior to grading permit issuance	Planning, Engineering, and Building Dept.	



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## Highgrove Residential and Commercial Project Initial Study/Mitigated Negative Declaration

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	<p>4. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.</p> <p>5. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.</p> <p>6. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery.</p> <p>7. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.</p> <p>8. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.</p> <p>9. Procedures and protocol for collecting and processing of samples and specimens.</p> <p>10. Fossil identification and curation procedures to be employed.</p> <p>11. Identification of the permanent repository to receive any recovered fossil material. *Pursuant</p>			





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	<p>the County "SABER Policy", paleontological fossils found in the County should, by preference, be directed to the Western Science Center in the City of Hemet. A written agreement between the property owner/developer and the repository must be in place prior to site grading.</p> <p>12. All pertinent exhibits, maps and references.</p> <p>13. Procedures for reporting of findings.</p> <p>14. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been paid to the institution.</p> <p>15. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. PG), as appropriate. One original signed copy of the report(s) shall be submitted to the County Geologist along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, Plan Check</p>			



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**Highgrove Residential and Commercial Project  
Initial Study/Mitigated Negative Declaration**

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/Reporting Method
	<p>staff, Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e. copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP.</p> <p>Safeguard Artifacts Being Excavated in Riverside County (SABER)</p>			
Tribal Cultural Resources	<p><b>COA-TCR-1: Native American Monitoring</b></p> <p>Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) for a Native American Monitor.</p> <p>In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel. In addition, the Native American Monitor(s) shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.</p> <p>The developer/permit applicant shall submit a fully executed copy of the agreement to the County Archaeologist to ensure compliance with this condition</p>	Prior to and during grading and construction	Planning Dept.	



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## Highgrove Residential and Commercial Project Initial Study/Mitigated Negative Declaration

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	<p>of approval. Upon verification, the Archaeologist shall clear this condition.</p> <p>This agreement shall not modify any condition of approval or mitigation measure.</p>			