

EXHIBIT "C"

RESOLUTION NO. PC2020-046

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CHINO, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION (MND) FOR THE CHINO VILLAS ASSISTED LIVING/MEMORY CARE/OFFICE AND COMMERCIAL BUILDINGS PROJECT LOCATED ON THE NORTH SIDE OF PHILADELPHIA STREET, WEST OF BENSON AVENUE AND EAST OF TOWN SQUARE (APN: 1014-591-06 & 07). PL19-0079 (SITE APPROVAL) & PL19-0080 (SPECIAL CONDITIONAL USE PERMIT).

WHEREAS, in compliance with the California Environmental Quality Act ("CEQA"), a Draft Mitigated Negative Declaration (MND) was prepared for the Chino Villas Assisted Living/Memory Care/Office and Commercial Buildings Project dated October 2020, by LSA, for approval of PL19-0079 (Site Approval) and PL19-0080 (Special Conditional Use Permit) (the "Project"); and

WHEREAS, prior to consideration and possible approval of the Project's applications, the Planning Commission has considered the proposed MND; and

WHEREAS, the Planning Commission of the City of Chino has completed its study of the MND and related materials; and


WHEREAS, on December 7, 2020, the Planning Commission held a duly noticed public hearing to consider the MND in compliance with law, including compliance with the relevant provisions of the California Government Code and Chino Municipal Code, entertained the written and oral report of staff, and took public testimony on the Project.

NOW, THEREFORE, the Planning Commission of the City of Chino, California, does hereby FIND, DETERMINE, and RESOLVE as follows:

- A. The foregoing recitals are true and correct and incorporated herein.
- B. Based on substantial evidence, both written and oral, from the public hearing, the Planning Commission makes the following findings and takes the following actions with respect to the MND:
 1. *Mitigated Negative Declaration (MND)*
 - a. The Draft MND has been completed in compliance with CEQA, and is adequate for this proposed Project;
 - b. The Draft MND was presented to the Planning Commission, and the Planning Commission reviewed and considered the information contained in the documents together with any comments received during the public review process;

- c. There is no substantial evidence that the project will have a significant effect on the environment; and
 - d. The Draft MND reflects the Planning Commission's independent judgment and analysis.
2. *Approval.* The Planning Commission hereby adopts the Chino Villas Assisted Living/Memory Care/Office and Commercial Buildings Project MND, including the Mitigation Monitoring and Reporting Program (attached as Exhibit "A"), in order to mitigate or avoid significant effects on the environment.
3. *Actions by the Planning Commission Secretary.* The Planning Commission Secretary is hereby directed to attest as to the adoption of this Resolution as of the date set forth below and forthwith transmit a copy of this Resolution, by regular mail, to the Applicant at the address of record set forth in the Application.

PASSED, APPROVED, and ADOPTED this 7th day of December 2020.



PLANNING COMMISSION CHAIRPERSON

ATTEST:



SECRETARY, PLANNING COMMISSION

State of California)
County of San Bernardino) §
City of Chino)

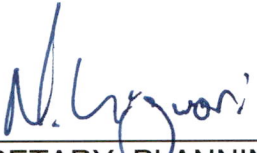
I hereby certify the foregoing Resolution was duly adopted by the Chino Planning Commission at a regular meeting held on the 7th day of December 2020 and entered in the minutes of said Commission.

AYES: COMMISSIONERS: Lewis, Pocock, Alexandris, Cisneroz, Moore,
Nastase, Blanchard

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: None

ABSTAIN: COMMISSIONERS: None



SECRETARY, PLANNING COMMISSION

Exhibit "A" – Mitigation Monitoring and Reporting Program

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
CHINO VILLAS ASSISTED LIVING/MEMORY CARE/OFFICE AND COMMERCIAL
BUILDINGS PROJECT**

APPENDIX H

MITIGATION MONITORING AND REPORTING PROGRAM

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION CHINO VILLAS ASSISTED LIVING/MEMORY CARE/OFFICE AND COMMERCIAL BUILDINGS PROJECT

INTRODUCTION

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the Chino Villas Assisted Living and Memory Care Project. 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 adverse effects on the environment (Public Resource Code Section 21081.6). The law states that 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.

MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the City of Chino is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City would monitor and report on all mitigation activities. Mitigation measures would be implemented at different stages of development throughout the project area. 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 City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

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Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials	Sanctions for Non-Compliance
<p>presence of burrowing owl is determined, the applicant shall contact California Department of Fish and Wildlife (CDFW) and conduct an impact assessment in accordance with Staff Report on Burrowing Owl Mitigation prior to commencing project activities to determine appropriate mitigation, including the acquisition and conservation of occupied replacement habitat at no less than a 2:1 ratio.</p> <p>A burrowing owl and nesting bird pre-construction clearance survey shall be conducted within fourteen and three days, respectively prior to ground-disturbing activities. The survey encompass the entire area of project-related ground disturbance and follow the methods described in the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012). If no active avian nests and no burrowing owls are found during the clearance survey, no additional mitigation will be required, and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction.</p> <p>If an active burrowing owl or other avian nest is discovered or signs thereof are observed during the pre-construction clearance survey, construction activities shall be redirected around the nest(s) avoid the occupied area. No ground-disturbing activities shall be permitted within 500 meters of an occupied burrow during the nesting season and an appropriate buffer for other avian nests shall be determined by a qualified biologist. A qualified biologist shall delineate the boundaries of any such buffer area. If determined appropriate, a smaller buffer may be established by the qualified biologist following monitoring and assessments of the Project's affects. However, the buffer shall be sufficient to ensure that</p>	<p>Director of Community Development</p> <p>Director of Community Development</p>	<p>Once prior ground disturbance</p> <p>Prior to ground disturbance</p>	<p>Prior to ground disturbance</p> <p>Prior to and during ground disturbance</p>	<p>impacts and mitigation (if any)</p> <p>Submittal of results of pre-construction burrowing owl survey to CDFW</p> <p>1. Submittal of evidence that appropriate buffers have been established</p> <p>2. Submittal of evidence that successful fledgling of occupied nest(s) has occurred</p> <p>3. Submittal of monitoring report to monitoring and receipt</p>		<p>Withhold/withdraw grading permits</p> <p>Withhold grading permits or issuance of a stop work order</p>

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<p>nesting behavior is not adversely affected by the construction activity. Once the qualified biologist has determined that young birds have successfully fledged or the nest has otherwise become inactive, a monitoring report shall be prepared and submitted to the City for review and approval prior to reinitiating construction activities within the buffer area. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until written authorization is received from California Department of Fish and Wildlife (CDFW.)</p> <p>If burrowing owls and/or suitable burrowing owl burrows with sign (e.g., whitewash, pellets, feathers, prey remains) are identified on the Project site during the survey and impacts to those features are unavoidable, an impact assessment, as described above, shall be prepared in coordination with CDFW and a qualified biologist, in coordination with the applicant and the City, shall prepare and submit a passive relocation program in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) for CDFW review/approval prior to the commencement of disturbance activities onsite.</p> <p>Prior to passive relocation, suitable replacement burrows site(s) shall be provided within adjacent open space lands at a ratio of 2:1 and permanent conservation and management of burrowing owl habitat such that the habitat acreage, number of burrows and burrowing owl impacts are replaced</p>	<p>Director of Community Development</p> <p>Director of Community Development</p>	<p>Once upon assessment of site</p> <p>Once, prior to passive relocation</p>	<p>During assessment of the site and prior to ground disturbance</p> <p>Prior to passive relocation and ground disturbance</p>	<p>of CDFW authorization to continue ground disturbance in buffer area(s)</p> <p>Preparation of impact assessment and submittal of evidence of a CDFW approved passive relocation plan</p> <p>1. Submittal of evidence appropriate off-site open space has been provided per CDFW requirements</p>		<p>Withhold grading permits</p> <p>Withhold grading permit until off-site passive relocation site(s) are established.</p>

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<p>consistent with the Staff Report on Burrowing Owl Mitigation including its Appendix A within designated adjacent conserved lands identified through coordination with CDFW and the City. A qualified biologist shall confirm the natural or artificial burrows on the conservation lands are suitable for use by the owls. Monitoring and management of the replacement burrow site(s) shall be conducted and a reporting plan shall be prepared. The objective shall be to manage the replacement burrow sites for the benefit of burrowing owls (e.g., minimizing weed cover), with the specific goal of maintaining the functionality of the burrows for a minimum of 2 years. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, construction activities may continue. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW.</p>			<p>Monitoring per frequency established in monitoring plan</p>	<p>2. Submittal of an off-site burrowing monitoring plan per CDFW requirement</p> <p>3. Submittal of final report of passive relocation activities and monitoring outcomes per CDFW requirements</p>		<p>Stop work order if off-site passive relocation site(s) are not monitored per requirements of the monitoring plan</p>

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SECTION V. CULTURAL RESOURCES						
<p>Mitigation Measure CUL-1: Prior to commencement of any grading activity on the Project site, the applicant shall retain a qualified archaeologist, subject to the review and approval of the City's Building Official, or designee. The qualified archaeologist shall attend the pre-construction meeting and be available on-call during all rough grading and other significant ground-disturbing activities. If during such activities an archaeological/cultural resources is uncovered, work in the area shall stop, and the construction contractor shall call the on-call archaeologist. The on-call archaeologist shall travel to the Project site to investigate the finding.</p> <p>In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed Project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist has evaluated the significance of the find and determines whether or not additional study is warranted.</p> <p>Depending upon the significance of the find, the archaeologist may simply record the find and allow work to continue.</p> <p>As required by the significance of any resource (as determined necessary by the qualified archaeologist with City review and approval), additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted. The appropriate recordation and recovery of any such resources would be required prior to the continuation of construction activities.</p>	Director of Community Development	Prior to and during ground disturbance	<p>Prior to issuance of grading permits</p> <p>During ground disturbance as appropriate.</p> <p>Prior to continuation of ground disturbance.</p>	<p>Submittal of evidence a qualified archeologist has been retained.</p> <p>As appropriate, evidence appropriate buffers have been established around any suspected resources uncovered during earth disturbance</p> <p>As appropriate, submittal of evidence of establishment of buffers (as required.)</p> <p>Submittal (as required) of evidence of appropriate treatment, recordation, and/or recovery of any resource.</p>		Withhold grading permits and/or issuance of a stop work order.

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VII. GEOLOGY AND SOILS						
<p>Mitigation Measure GEO-1: Prior to commencement of any grading activity on the project site, the applicant shall retain a qualified paleontologist, subject to the review and approval of the City's Building Official, or designee. The qualified paleontologist shall attend the pre-construction meeting and be available on-call during all rough grading and other significant ground-disturbing activities. If during such activities a paleontological resource is uncovered, work in the area shall stop, and the construction contractor shall call the on-call paleontologist. The on-call paleontologist shall travel to the Project site to investigate the finding.</p> <p>In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontology monitor shall temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor shall remove the rope and allow grading to recommence in the area of the find. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP).</p>	Director of Community Development	Prior to and during ground disturbance	<p>Prior to issuance of grading permits</p> <p>During ground disturbance as appropriate.</p> <p>Prior to continuation of ground disturbance.</p>	<p>Submittal of evidence a qualified paleontologist has been retained.</p> <p>As appropriate, evidence appropriate buffers have been established around any suspected resources uncovered during earth disturbance</p> <p>Submittal of PRIMP detailing appropriate treatment, recordation, and/or recovery of any resource.</p>		Withhold grading permits and/or issuance of a stop work order
SECTION X. HYDROLOGY AND WATER QUALITY						
<p>Mitigation Measure HYD-1: Prior to the issuance of a grading permit, the Project applicant shall file and obtain a Notice of Intent (NOI) with the Regional Water Quality Control Board (RWQCB) in order to be in compliance with the State NPDES General Construction Storm Water Permit for discharge of surface runoff associated with construction</p>	Director of Public Works	Once	Prior to issuance of grading permit	Submittal of evidence the NOI has been filed		Withhold grading permit.

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<p>activities. Evidence that this has been obtained (i.e., a copy of the Waste Discharger’s Identification Number) shall be submitted to the City for coverage under the NPDES General Construction Permit.</p>						
<p>Mitigation Measure HYD-2: Prior to the issuance of a grading permit, the Project applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. In addition, the SWPPP shall emphasize structural and nonstructural Best Management Practices (BMPs) to control sediment and non-visible discharges from the site. The SWPPP shall include inspection forms for routine monitoring of the site during construction phase to ensure NPDES compliance and additional BMPs and erosion control measures shall be documented in the SWPPP and utilized if necessary. The SWPPP shall be kept on site for the entire duration of Project construction and be available to the local RWQCB for inspection at any time. BMPs included in the SWPPP may include the following:</p> <ul style="list-style-type: none"> • Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles and temporary basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction and repairs will be made when necessary as required by the SWPPP. • Materials that have the potential to contribute to non-visible pollutants to storm water must not be placed in drainage ways and must be contained, 	<p>Director of Public Works</p>	<p>Prior to and during ground disturbance</p>	<p>Prior to issuance of grading permit</p>	<p>Submittal of evidence the SWPPP and erosion control plan have been prepared per the mitigation requirement(s).</p> <p>Submittal of record that appropriate SWPPP measures are maintained throughout ground disturbance and construction.</p>		<p>Withhold grading permit and/or issuance of stop work order</p>

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<p>elevated, and placed in temporary storage containment areas.</p> <ul style="list-style-type: none"> All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences and covered with plastic tarps. In addition, the construction contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sandbag barriers and other sediment control measures called for in the SWPPP. Monthly reports and inspection logs shall be maintained by the Contractor and reviewed by the City and the representatives of the State Water Resources Control Board. In the event that it is not feasible to implement specific BMPs, the City can make a determination that other BMPs will provide equivalent or superior treatment either on or off site. <p>In addition to the SWPPP, the applicant shall provide to the City for review and approval, a precise grading plan which includes an erosion control sheet detailing measures to be implemented in the field during construction.</p>						
SECTION XVII. TRANSPORTATION						
<p>Mitigation Measures TRA-1: Prior to issuance of building permits the applicant shall evidence to the City the fair-share contribution for the required improvements/stripping at the affected intersections as follows:</p>	Transportation Manager	Once	Prior to issuance of building permits	Submittal of evidence required fair share fees have been paid.		Withhold building permits.

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<ul style="list-style-type: none"> • Town Square Driveway/Philadelphia Street: Increase the storage length of the eastbound right-turn lane on Philadelphia Street from 125 feet to 200 feet, per the conceptual striping plan provided in Figure 9-1 of the Project TIA. Project fair-share contribution: 38.60 percent. • Benson Avenue/Philadelphia Street: Add a northbound right-turn lane with a storage length of 90 feet. Add a southbound right-turn lane with a storage length of 135 feet. Extend the storage length for the southbound left-turn lane to 95 feet. Remove portions of the existing raised median by 210 feet and add a second eastbound left-turn lane, per the conceptual striping plan provided in Figure 9-2 of the Project TIA. Project fair-share contribution: 33.33 percent. The amount of the Project’s fair-share cost shall be based on the cost of the proposed improvement (as identified by the City) and the Project’s fair-share contribution identified in Table 9-A. of the Project TIA. 						
SECTION XVIII. Tribal Cultural Resources						
<p>Mitigation Measure TCR-1: Prior to grading, the Project applicant shall provide evidence a Native American monitor has been retained and appropriately compensated for construction monitoring services. The monitor shall be approved by the Gabrieleño Band of Mission Indians-Kizh Nation (Tribe) and shall be listed on the Native American Heritage Commission’s (NAHC’s) Tribal Contact list for the area of the Project location.</p> <p>The monitor shall be present on site only during the construction phases that involve ground-disturbing</p>	Director of Community Development	Once	At least 30 days prior to the start of ground disturbance activities.	Submittal of evidence a qualified Native American monitor has been retained.		Withhold Grading Permit

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<p>activities. Ground-disturbing activities are defined as activities that include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching on site. The monitor shall complete daily monitoring logs that provide a description of the day's activities, including construction activities, locations, soils, and any cultural materials identified. The on-site Tribal monitoring shall end when the Project site grading and excavation activities area completed, or when the Tribe representatives, in consultation with the City, have indicated that the site has a low potential for impact to Tribal Cultural Resources.</p>						
<p>Mitigation Measure TCR-2: Upon discovery of any tribal cultural or archaeological resource, construction activities in the immediate vicinity of the find shall cease until the find can be assessed. All tribal and archaeological resources unearthed by the Project construction activities shall be evaluated by a qualified archaeologist and the Tribe. If the resources are Native American in origin, the Tribe shall coordinate with the landowner regarding the treatment and curation of these resources. Typically, the Tribe requests reburial or preservation for educational purpose. Work may continue on other parts of the Project while evaluation occurs.</p> <p>If a discovery is determined by the qualified archaeologist to be a "historical resource" or "unique archaeological resources," a treatment plan shall be developed (pursuant to <i>CEQA Guidelines</i>, Section 15064.5[f]) allowing for sufficient time and funding to identify and implement avoidance measures and/or appropriate mitigation.</p> <p>For unique archaeological resources, preservation in place is the preferred manner of treatment. If</p>	<p>Director of Community Development</p>	<p>As required</p>	<p>Throughout the duration of ground disturbance</p>	<p>Development of a treatment plan, evidence of protection in place, and/or evidence of curation pursuant to the provisions of this measure.</p>		<p>Issuance of Stop Work Order.</p>

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<p>preservation in place is not feasible, treatment may include implementation of archaeological data recovery extraction to remove the resource along with subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall, at the discretion of the landowner, be curated at a public, non-profit institution with a research interest agreeing to accept in the materials. If no such institution agrees to accept the materials, they shall be offered to a local school or historical society in the area for educational purposes.</p>						
<p>Mitigation Measure TCR-3: Archaeological and Native American monitoring and excavation during construction shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of Interior standards for archaeology and have a minimum of ten years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.</p>	<p>Director of Community Development</p>	<p>As required</p>	<p>Prior to and throughout the duration of ground disturbance</p>	<p>Submittal of evidence this measure is fully incorporated in all construction documents.</p>		<p>Issuance of Stop Work Order.</p>
<p>Mitigation Measure TCR-4: Upon discovery of human remains, cremations, and/or associated grave goods, the Tribal monitor and/or archaeological monitor shall halt work within a minimum of 150 feet of the discovery. The discovery shall be kept confidential and secure to prevent further disturbance. The Tribe and the County Coroner shall be notified within 24 hours of any such discovery. Work within the 150-foot buffer area shall be diverted while the County Coroner determines the</p>	<p>Director of Community Development</p>	<p>As required</p>	<p>Throughout the duration of ground disturbance</p>	<p>As required, submittal of evidence any human remains and/or funerary objects are recorded, recovered and or curated pursuant to provisions of this measure.</p>		<p>Issuance of a Stop Work Order</p>

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<p>nature of the remains and the Most Likely Descendant (MLD) identified.</p> <p>If the Tribe is designated MLD, the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. The prepared soil and cremation soils shall be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains shall be considered as associated funerary objects.</p> <p>Prior to the continuation of ground-disturbing activities, the landowner shall arrange a designated site within the footprint of the project for the respectful reburial of the human remains and/or funerary objects. In cases where discovered human remains cannot be fully documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment to protect the remains. If this type of protection is not available, a 24-hour guard shall be posted outside of working hours. The Tribe shall make every effort to recommend diverting the Project and keeping the remains in situ and protected. If the Project cannot be diverted, it may be determined that burials would be removed. The Tribal monitor shall work closely with the qualified archaeologist to ensure that the excavation is treated</p>						

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<p>carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum, detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe/Tribal monitor for data recovery purposes.</p> <p>Cremations shall either be removed in bulk or by means as necessary to ensure complete recovery of all material. Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the Project site but at a location agreed upon between the Tribe monitor and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p> <p>If the discovery of human remains includes four or more burials, the location shall be considered a cemetery, and a separate treatment plan shall be developed. Once complete, a final report of all activities shall be submitted to the Tribe Nation and the Native American Heritage Commission. The Tribe does not authorize any scientific study or the utilization of invasive diagnostics on human remains.</p>						