

FINAL
Initial Study and Mitigated Negative Declaration
WELL 11 PIPELINE ALIGNMENT PROJECT

Lead Agency:



City of Chino
13220 Central Ave
Chino, CA 91710

Prepared by:



3838 Camino Del Rio North, Suite 370
San Diego, CA 92108

FEBRUARY 2022

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Appendix A – Draft IS/MND

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**FINAL MITIGATED NEGATIVE DECLARATION
WELL 11 PIPELINE ALIGNMENT PROJECT**

Lead Agency: City of Chino

Project Proponent: City of Chino

Project Location: The subject Well 11 site is located in San Bernardino County in the City of Chino, west of San Antonio Avenue and south of the State Route (SR) 60 Freeway. The pipeline alignment is generally from the Well 11 site, east to San Antonio Avenue, south on San Antonio Avenue to Walnut Avenue, west on Walnut Avenue to Cypress Avenue, south on Cypress Avenue to Chino Avenue to tie into an existing pipeline at the intersection of Chino Avenue/Cypress Avenue which continues to the Eastside Water Treatment Facility (EWTF) located at 7537 Schaefer Avenue, Ontario, CA.

Public Review Period: December 4, 2021 to January 21, 2022

Mitigation Measures Incorporated into the Project to Avoid Significant Effects:

Cultural Resources

CUL-1: Post-Review Discovery Procedures: If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for pre-contact and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required.
- If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the City of Chino, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to their satisfaction.

- If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

Geology and Soils

GEO-1: Unanticipated Discovery – Paleontological Resource. If paleontological resources (i.e., fossil remains) are discovered during excavation activities, the contractor will notify the City and cease excavation within 100 feet of the find until a qualified paleontological professional can provide an evaluation of the site. The qualified paleontological professional will evaluate the significance of the find and recommend appropriate measures for the disposition of the site (e.g. fossil recovery, curation, data recovery, and/or monitoring). Construction activities may continue on other parts of the construction site while evaluation and treatment of the paleontological resource takes place.

Hazards and Hazardous Materials

HAZ-1: Traffic Control Plan. Prior to construction, the City of Chino (or its contractor) shall prepare a Traffic Control Plan to ensure proper access to residences and businesses in the area by emergency vehicles during construction and to maintain traffic flow. The Traffic Control Plan shall be approved by the City of Chino prior to any lane closures.

Noise

NOI-1: The following measures are recommended during all construction of the Proposed Project:

- All construction equipment on construction sites shall be operated as far away from vibration-sensitive sites as reasonably possible.
- All rollers used during Project construction shall be turned off when not in use.

Tribal Cultural Resources

TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities:

- a. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
- b. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.
- c. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.
- d. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.
- e. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe’s sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

TCR-2: Unanticipated Discovery of Human Remains and Associated Funerary Objects:

- a. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.
- b. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.
- c. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- d. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)
- e. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.
- f. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

TCR-3: Procedures for Burials and Funerary Remains:

- a. As the Most Likely Descendant (“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.

- b. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.
- c. The prepared soil and cremation soils are to 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 can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.
- d. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will 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 will be removed.
- e. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.
- f. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should 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 and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.
- g. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

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SECTION 1.0 INTRODUCTION

This document is the Final Initial Study/Mitigated Negative Declaration (IS/MND), including the Responses to Comments and the Mitigation Monitoring and Reporting Plan (MMRP), for the Well 11 Pipeline Alignment Project (Proposed Project). It has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resource Code Section 21000 et. seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.), as amended. This Final IS/MND document supplements the Draft IS/MND released for public review on December 4, 2021.

The City of Chino (City) is the Lead Agency for the Proposed Project. On December 4, 2021 the City distributed the Draft IS/MND for the Proposed Project to public agencies and the general public for review and comment. In accordance with the State CEQA Guidelines, an extended 30-day review period, which ended on January 21, 2022, was completed. One comment letter was received on January 5, 2022, after the public review period ended. This Final IS/MND and MMRP document is organized as follows:

- Section 1.0 provides a discussion of the purpose of the document and discusses the structure of the document;
- Section 2.0 contains a summary of the project description;
- Section 3.0 includes the comment letters received and responses to these comments;
- Section 4.0 includes corrections and clarifications made to the Draft IS/MND in response to comments and a discussion regarding why these changes do not require recirculation for the Draft IS/MND; and
- Section 5.0 contains the Mitigation Monitoring and Reporting Plan (MMRP).

This Final IS/MND and MMRP document and the Draft IS/MND (Appendix A) together constitute the environmental document record for the Proposed Project.

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SECTION 2.0 PROJECT OVERVIEW

2.1 Project Characteristics

The City of Chino proposes installation of a new 16" raw water transmission pipeline which would convey groundwater from the City's Well 11 to the City's Eastside Water Treatment Facility (EWTF) to remove 1,2,3 trichloropropane (TCP) and nitrate from the groundwater. The pipeline alignment is generally from the Well 11 site, east to San Antonio Avenue, south on San Antonio Avenue to Walnut Avenue, west on Walnut Avenue to Cypress Avenue, and south on Cypress Avenue to Chino Avenue. The new pipeline would tie into an existing 18" raw water transmission pipeline on Chino Avenue. The existing 18" pipe would further convey the raw water to the EWTF for treatment.

Project construction would consist of excavation, backfill, pipeline installation, and repaving. The pipeline would be installed a minimum of 48" below ground level. Streets affected by construction would be repaired and repainted.

2.2 Project Timing

Project construction is expected to begin in the 2022 fiscal year.

SECTION 3.0 COMMENTS AND RESPONSES

The extended 30-day public review period began on December 4, 2021 and ended on January 21, 2022. In conformance with Section 15088(a) of the State CEQA Guidelines, the City is required to consider comments received during the review period. One comment letter was received from the San Bernardino County Department of Public Works on January 5, 2022 (see next page). Responses to this comment letter are provided following the letter.

Letter 1 – San Bernardino County Department of Public Works

Main Office - 825 East Third Street, San Bernardino, CA 92415-0835 | Phone: 909.387.7910 Fax: 909.387.7911
www.SBCounty.gov



Department of Public Works

- Flood Control
- Operations
- Solid Waste Management
- Special Districts
- Surveyor
- Transportation

Brendon Biggs, M.S., P.E.
Director

David Doublet, M.S., P.E.
Assistant Director

Trevor Leja
Assistant Director

January 5, 2022

File: 10(ENV)-4.01

City of Chino
Attn: Natalie Ávila, Associate Engineer
13220 Central Avenue,
Chino, California 91710
navila@cityofchino.org

Transmitted Via Email

RE: CEQA – NOTICE TO INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE WELL 11 PIPELINE ALIGNMENT PROJECT

Dear Mrs. Avila:

Thank you for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on December 22, 2021** and pursuant to our review, we have the following comments:

Flood Control Planning & Water Resources Division (Michael Fam, Chief, 909-387-8120):

1. We are aware there may be storm drains in and around the site that may be affected by the proposed Project. When planning for or altering existing or future storm drains, be advised that the Project is subject to the City of Chino MPD, dated, November 1993. It is to be used as a guideline for drainage in the area and is available in the County's Flood Control District Offices. It is recommended that any revisions to the drainage should be reviewed and approved by the City of Chino. Should construction of new, or alterations to existing storm drains be necessary as part of the Proposed Project, their impacts and any required mitigation should be discussed within the MND before the document is adopted by the Lead Agency. 1-1
2. According to the most recent FEMA Flood Insurance Rate Map (FIRM), Panel 06071C8620H, dated August 28, 2008, the Project lies within Zone X-unshaded. Impacts associated with the project's occurrence in the Zone X area and mitigation, should be discussed within the MND prior to adoption by the Lead Agency. 1-2
3. One of the benefits of CSDP's and MPD's is to identify the alignment of future drainage and flood control facilities. It is hoped that the City will continue to use this document to protect the alignment of future facilities. 1-3

BOARD OF SUPERVISORS

COL PAUL COOK (RET.) First District
JANICE RUTHERFORD Second District
DAWN ROWE Vice Chair, Third District
CUET HAGMAN Chairman, Fourth District
JOE BACA, JR. Fifth District

Leonard X. Hernandez
Chief Executive Officer

Letter 1 – San Bernardino County Department of Public Works

City of Chino
January 5, 2022
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Permits/Operations Support Division (Sameh Basta, Chief, 909-387-7995):

1. Portions of the Project area are crossing over or adjacent to a San Bernardino County Flood Control District (SBCFCD) fee owned property and/or facilities (1-906-GA) Magnolia Storm Drain and (1-901-IC) Cypress Channel. Any encroachments on the District's right-of-way or facilities, including but not limited to access, fencing and grading, utility crossings, landscaping, new and/or alteration to drainage connections will require a permit from the SBCFCD prior to start of construction. The necessity for permits, and any impacts associated with them, should be addressed in the MND prior to adoption and certification. If you have any questions regarding this process, please contact the FCD Permit Section at (909) 387-1863

1-4

We respectfully request to be included on the circulation list for all project notices, public reviews, or public hearings. In closing, I would like to thank you again for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. Should you have any questions or need additional clarification, please contact the individuals who provided the specific comment, as listed above.

Sincerely,

Michael Perry

MICHAEL R. PERRY
Supervising Planner
Environmental Management

MP:AJ:nl

Responses to Comments

Comment 1-1: This comment requests that impacts to storm drainage facilities be discussed within the Draft IS/MND. As described on Page 4-36 of the Draft IS/MND, the Proposed Project involves the installation of water pipelines along existing paved streets. All improvements are below ground surface and Project areas would be paved and returned to their existing condition. As such, the Proposed Project is not anticipated to change the quality and quantity of runoff water in the Project area. Post-Project stormwater drainage conditions would be the same as existing conditions. Any modifications to existing storm drain systems, if necessary, would be reviewed and approved by the City of Chino.

Comment 1-2: This comment requests that impacts associated with the Project's occurrence in the Zone X area and mitigation be discussed within the Draft IS/MND. As described on Page 4-36 of the Draft IS/MND, all Project improvements would be below ground surface along existing paved streets. Once construction is completed all Project areas would be paved and returned to their existing condition. Therefore, the Proposed Project would not impede or redirect flood flows.

Comment 1-3: The City acknowledges this comment. The City will ensure that the Project follows the CSDP and the MDP to protect the alignment of future storm drainage and flood control facilities.

Comment 1-4: The City acknowledges this comment. Prior to any encroachment on the San Bernardino County Flood Control District's (SBCFCD) facilities or right-of-way, the City of Chino shall obtain a permit from the SBCFCD Permit's Division, if necessary.

**SECTION 4.0 CLARIFICATIONS TO THE DRAFT INITIAL
STUDY/MITIGATED NEGATIVE DECLARATION**

No changes to the Draft IS/MND are required as a result of comments received.

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SECTION 5.0 MITIGATION MONITORING AND REPORTING PLAN

5.1 Introduction

In accordance with CEQA, an IS/MND that identified adverse impacts related to the construction activity for Well 11 Pipeline Alignment Project was prepared. The MND identified mitigation measures that would reduce or eliminate these impacts to below the level of significance.

Section 21081.6 of the Public Resources Code and Sections 15091(d) and 15097 of the State CEQA Guidelines require public agencies to adopt a reporting and monitoring plan for 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. A Mitigation Monitoring and Reporting Plan (MMRP) is required for the Proposed Project because the IS/MND identified potentially significant adverse impacts related to construction activity, and mitigation measures have been identified to mitigate these impacts. Adoption of the MMRP will occur along with approval of the Proposed Project.

5.2 Purpose of the Mitigation Monitoring and Reporting Plan

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the Proposed Project, as required. The MMRP may be modified by the City during project implementation, as necessary, in response to changing conditions or other project refinements. Table 5-1 has been prepared to assist the responsible parties in implementing the MMRP. This table identifies the category of significant environmental impact(s), individual mitigation measures, monitoring and mitigation timing, responsible person/agency for implementing the measure, monitoring and reporting procedure, and notation space to confirm implementation of the mitigation measures. The numbering of the mitigation measures follows the numbering sequence in the IS/MND.

5.3 Roles and Responsibilities

The City of Chino, as Lead Agency, is responsible for oversight of compliance of the mitigation measures in the MMRP.

5.4 Mitigation Monitoring and Reporting Plan

The column categories identified in the MMRP table (Table 5-1) are described below.

- Mitigation Measure – This column lists the mitigation measures by number.
- Monitoring Activity/Timing/Frequency/Schedule – This column lists the activity to be monitored for each mitigation measure, the timing of each activity, and the frequency/schedule of monitoring for each activity.

- Implementation Responsibility/Verification – This column identifies the entity responsible for complying with the requirements of the mitigation measure and provides space for verification initials and date.
- Responsibility for Oversight of Compliance/Verification – This column provides the agency responsible for oversight of the mitigation implementation, and is to be dated and initialed by the agency representative based on the documentation provided by the construction contractor or through personal verification by agency staff.
- Outside Agency Coordination – this column lists any agencies with which the City may coordinate for implementation of the mitigation measure.
- Comments – this column provides space for written comments, if necessary.

Table 5-1
Well 11 Pipeline Alignment Project
Mitigation Monitoring and Reporting Plan

Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility/ Verification	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
Cultural Resources Mitigation Measures					
<p>CUL-1: Post-Review Discovery Procedures: If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards for pre-contact and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <ul style="list-style-type: none"> If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required. 	<p>Activity: Archaeological evaluation of potential cultural resources.</p> <p>Timing: During ground disturbing construction activities.</p> <p>Frequency: As necessary during construction.</p>	<p>Qualified Archaeologist</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>City of Chino Director of Public Works</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>San Bernardino County Coroner</p> <p>Native American Heritage Commission</p>	

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Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility/ Verification	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<ul style="list-style-type: none"> • If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the City of Chino, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to their satisfaction. • If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the County Coroner (per § 7050.5 of the Health and Safety Code). 					

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Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility/ Verification	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<p>The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641).</p>					

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Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility/ Verification	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<p>Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.</p>					
Geology and Soils Mitigation Measures					
<p>GEO-1: Unanticipated Discovery – Paleontological Resource. If paleontological resources (i.e., fossil remains) are discovered during excavation activities, the contractor will notify the City and cease excavation within 100 feet of the find until a qualified paleontological professional can provide an evaluation of the site. The qualified paleontological professional will evaluate the significance of the find and recommend appropriate measures for the disposition of the site (e.g. fossil recovery, curation, data recovery, and/or monitoring). Construction activities may continue on other parts of the construction site while evaluation and treatment of the paleontological resource takes place.</p>	<p>Activity: Evaluation of potential paleontological resources by a qualified paleontologist.</p> <p>Timing: During ground disturbing construction activities.</p> <p>Frequency: As necessary during construction.</p>	<p>Qualified Paleontologist</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>City of Chino Director of Public Works</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>		

Final Initial Study and Mitigated Negative Declaration
Well 11 Pipeline Alignment Project

Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility/ Verification	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
Hazards and Hazardous Materials Mitigation Measures					
<p>HAZ-1: Traffic Control Plan. Prior to construction, the City of Chino (or its contractor) shall prepare a Traffic Control Plan to ensure proper access to residences and businesses in the area by emergency vehicles during construction and to maintain traffic flow. The Traffic Control Plan shall be approved by the City of Chino prior to any lane closures.</p>	<p>Activity: Preparation of a Traffic Control Plan.</p> <p>Timing: Prior to and during ground disturbing construction activities.</p> <p>Frequency: Once.</p>	<p>Project Engineer</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>City of Chino Director of Public Works</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>		

Final Initial Study and Mitigated Negative Declaration
Well 11 Pipeline Alignment Project

Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility/ Verification	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
Noise Mitigation Measures					
<p>NOI-1: The following measures are recommended during all construction of the Proposed Project:</p> <ul style="list-style-type: none"> All construction equipment on construction sites shall be operated as far away from vibration-sensitive sites as reasonably possible. All rollers used during Project construction shall be turned off when not in use. 	<p>Activity: Implementation of noise-reducing measures.</p> <p>Timing: Prior to and during ground disturbing construction activities.</p> <p>Frequency: As necessary during construction.</p>	<p>Project Engineer</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>City of Chino Director of Public Works</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>		

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Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility/ Verification	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
Tribal Cultural Resources Mitigation Measures					
<p>TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities:</p> <p>a. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.</p> <p>b. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit</p>	<p>Activity: Retain a Native American monitor prior to commencement of ground-disturbing activities.</p> <p>Timing: During construction.</p> <p>Frequency: As needed.</p>	<p>Qualified Archaeologist</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>City of Chino Director of Public Works</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>Gabrieleño Band of Mission Indians – Kizh Nation</p>	

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Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility/ Verification	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<p>necessary to commence a ground-disturbing activity.</p> <p>c. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.</p> <p>d. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead</p>					

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<p>agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.</p> <p>e. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.</p>					

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Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility/ Verification	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<p>TCR-2: Unanticipated Discovery of Human Remains and Associated Funerary Objects:</p> <p>a. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.</p> <p>b. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native</p>	<p>Activity: Appropriate treatment, re- cordation, and /or recovery of any re- source.</p> <p>Timing: During construction.</p> <p>Frequency: As needed.</p>	<p>Qualified Archaeologist</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>City of Chino Director of Public Works</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>Gabrieleño Band of Mission Indians – Kizh Nation</p>	

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<p>American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.</p> <p>c. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).</p> <p>d. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)</p> <p>e. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the</p>					

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<p>Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.</p> <p>f. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.</p>					
<p>TCR-3: Procedures for Burials and Funerary Remains:</p> <p>a. As the Most Likely Descendant (“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.</p>	<p>Activity: Appropriate treatment, re-cordation, and /or recovery of any re-source.</p> <p>Timing: During construction.</p> <p>Frequency: As needed.</p>	<p>Qualified Archaeologist</p> <hr/> <p>Initials</p>	<p>City of Chino Director of Public Works</p> <hr/> <p>Initials</p>	<p>Gabrieleño Band of Mission Indians – Kizh Nation</p>	

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<p>b. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.</p> <p>c. The prepared soil and cremation soils are to 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 can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.</p> <p>d. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If</p>		Date	Date		

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<p>this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will 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 will be removed.</p> <p>e. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.</p> <p>f. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of</p>					

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<p>reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p> <p>g. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.</p>					

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SECTION 6.0 LIST OF APPENDICES

Appendix A – Draft IS/MND