

4.0 Mitigation Monitoring and Reporting Program

4.1 Introduction

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared for use in implementing the mitigation measures that are part of the Environmental Impact Report (EIR) that will be certified by the City of Perris for the Ethanac Logistics Center (Project).

The MMRP as reflected in **Table 4.0-A, Ethanac Logistics Center Mitigation Monitoring and Report Program** below, has been prepared in compliance with State law and the Ethanac Logistics Center EIR (State Clearinghouse No.2023090525) prepared for the Project by the City of Perris.

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 Resources 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 designated 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.

4.2 Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Perris (City) is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project area. 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.

Table 4.0-A, Ethanac Logistics Center Mitigation Monitoring and Report Program

Impact/Threshold	Project-Level Mitigation Measures	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
Aesthetics							
Would the proposed Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	MM AES-1: Prior to issuance of grading permits, the Project developer shall provide evidence to the City of Perris that any temporary nighttime lighting installed for security purposes shall be downward facing and hooded or shielded to prevent security light spillage by one foot candle to surrounding properties outside of the staging area or direct broadcast of security light into the sky.	Prior to issuance of a grading permit	City of Perris Building Division	Submission of lighting plans demonstrating that lights are hooded or shielded to prevent either the spillage of lumens or reflection into the sky and that all outdoor lighting is downward facing as much as feasible Review and approval of Contractor Specifications			
Biological Resources							
Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<p>MM BIO-1: Preconstruction Survey for Nesting Birds. In order to avoid violation of the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code Sections 3503, 3503.5, and 3513, site preparation activities (ground disturbance, construction activities, staging equipment, and/or removal of trees and vegetation) for the Project shall be avoided, to the greatest extent possible, during the nesting season of potentially occurring native and migratory bird species.</p> <p>If site-preparation activities are proposed during the nesting/breeding season, the Project proponent shall retain a qualified biologist to conduct a pre-activity field survey prior to the issuance of grading permits for the Project to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. The nest surveys shall include the Project site and adjacent areas where Project activities have the potential to cause nest failure. The survey results shall be provided to the City's Planning Division. The Project proponent shall adhere to the following:</p> <p>The Project proponent shall designate a biologist (Designated Biologist) experienced in: identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.</p> <p>Pre-activity field surveys shall be conducted at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of Project development activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate.</p> <p>If no nesting birds are observed during the survey, site preparation and construction activities may begin conducted during the nesting/breeding season. However, if active nests (including nesting raptors) are located then avoidance or minimization measures shall be undertaken in consultation with the City of Perris and the CDFW. Measures shall include immediate establishment of an appropriate buffer zone to be established</p>	No more than 3 days prior to initiation of grading	City of Perris Planning Division	Nesting bird survey results report submission.			

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	<p>by a qualified biologist, and approved by the City of Perris, based on their best professional judgement and experience. The buffer around the nest shall be delineated and flagged, and no construction activity shall occur within the buffer area until a qualified biologist determines nesting species have fledged and the nest is no longer active or the nest has failed. The biologist shall monitor the nest at the onset of Project activities, and at the onset of any changes in such Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the biologist determines that such Project activities may be causing an adverse reaction, the biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The onsite biologist shall review and verify compliance with these nesting avoidance buffers and shall verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to City of Perris Planning Division for mitigation monitoring compliance record keeping.</p>						
	<p>MM BIO-2: Preconstruction Surveys for Western Burrowing Owl. The Project proponent shall retain a qualified biologist to conduct a pre-construction survey for resident burrowing owls within 30 days prior to commencement of initial ground-disturbing activities (e.g., vegetation clearing, clearing, and grubbing, grading, tree removal, site watering, equipment staging) at the Project site. The survey shall include the Project site and all suitable burrowing owl habitat within a 500-foot buffer. The results of the survey shall be submitted to the City of Perris Planning Division prior to obtaining a grading permit. In addition, a pre-construction survey for resident burrowing owls shall also be conducted within three days prior to commencement. If burrowing owls are observed during the Migratory Bird Treaty Act (MBTA) nesting bird survey (mitigation measure MM BIO-1, to be conducted within three days of ground disturbance or vegetation clearance, the observation shall be reported to the CDFW and the US Fish and Wildlife Service (USFWS). If ground disturbing activities in these areas are delayed or suspended for more than 30 days after the pre-construction survey, the area shall be resurveyed for owls. The pre-construction survey and any relocation activity will be conducted in accordance with the current Burrowing Owl Instruction for the Western Riverside MSHCP.</p> <p>If burrowing owl are not detected during the pre-construction survey, no further mitigation is required.</p> <p>If burrowing owl are detected, the CDFW shall be sent written notification within three days of detection of burrowing owls.</p> <p>If active nests are identified during the pre-construction survey, the Project applicant shall not commence activities until no sign is present that the burrows are being used by adult or juvenile owls or following CDFW approval of a Burrowing Owl Plan as described below.</p> <p>If owl presence is difficult to determine, a qualified biologist shall monitor the burrows with motion-activated trail cameras for at least 24 hours to evaluate burrow occupancy.</p>	No more than 30 days prior to the initiation of ground-disturbing construction	City of Perris Planning Division	Burrowing Owl survey results report submission			

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	<p>The qualified biologist and Project applicant shall coordinate with the City of Perris Planning Division, the US Fish and Wildlife Service (USFWS), and the CDFW to develop a Burrowing Owl Plan to be approved by the City in consultation with the CDFW and the USFWS prior to commencing project activities. The Burrowing Owl Plan shall be prepared in accordance with guidelines in the CDFW Staff Report on Burrowing Owl (March 2012) and MSHCP. The Burrowing Owl Plan shall describe proposed avoidance, minimization, relocation, and monitoring as applicable. The Burrowing Owl Plan shall include the number and location of occupied burrow sites and details on proposed buffers if avoiding the burrowing owls and/or information on the adjacent or nearby suitable habitat available to owls for relocation. If no suitable habitat is available nearby for relocation, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls may also be required in the Burrowing Owl Plan. The permittee shall implement the Burrowing Owl Plan following CDFW and USFWS review and concurrence. A final letter report shall be prepared by the qualified biologist documenting the results of the Burrowing Owl Plan. The letter shall be submitted to CDFW prior to the start of project activities. The onsite qualified biologist will verify the nesting effort has finished according to methods identified in the Burrowing Owl Plan. When the biologist determines that burrowing owls are no longer occupying the Project site per the criteria in the Burrowing Owl Plan, Project activities may begin.</p>						
	<p>MM BIO-3: Burrowing Owl Plan. If burrowing owl are discovered to occupy the Project Site after Project activities have started, then construction activities shall be halted immediately. The Project proponent shall notify the CDFW and the USFWS within 48 hours of detection. A Burrowing Owl Plan, as detailed in mitigation measure MM BIO-1, shall be implemented. The Burrowing Owl Plan shall be submitted to the CDFW for review and approval within two weeks of detection and no Project activity shall continue within 1,000 feet of the burrowing owls until the CDFW approves the Burrowing Owl Plan. The Project proponent shall be responsible for implementing appropriate avoidance and mitigation measures, including burrow avoidance, passive or active relocation, or other appropriate mitigation measures as identified in the Burrowing Owl Plan.</p>	Prior to grading	City of Perris Planning Division	Submission of Burrowing Owl Plan			
Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	See MM BIO-1 thru MM BIO-3 above	See MM BIO-1 thru MM BIO-3 above	See MM BIO-1 thru MM BIO-3 above	See MM BIO-1 thru MM BIO-3 above			
Cultural Resources							
Would the Project cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5?	<p>MM CR-1: Archaeological Resource - Monitoring. Prior to the issuance of grading permits, the Project proponent/developer shall retain a professional archaeologist meeting the Secretary of the Interior's Professional Standards for Archaeology (U.S. Department of Interior, 2012; Registered Professional Archaeologist preferred). The primary task of the consulting archaeologist shall be to monitor the initial ground-disturbing activities at both the subject site and any off-site project-related improvement areas for the identification of any previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Director of Development Services and no ground-disturbing activities shall occur at the site or within the off-site project improvement areas until the archaeologist has been approved by the City.</p> <p>The archaeologist shall be responsible for monitoring ground-disturbing activities, maintaining daily field notes and a photographic record, and for reporting all finds to</p>	Prior to issuance of a grading permit	City of Perris Planning Division	Confirmation of professional archaeologist retention / submittal of Report of Findings			

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	<p>the developer and the City of Perris in a timely manner. The archaeologist shall be prepared and equipped to record and salvage cultural resources that may be unearthed during ground-disturbing activities and shall be empowered to temporarily halt or divert ground-disturbing equipment within a 50-foot radius of the find to allow time for the recording and removal of the resources. Work may continue outside of the 50-foot radius.</p> <p>The Project proponent/developer shall also enter into an agreement with either the Soboba Band of Luiseño Indians or the Pechanga Band of Luiseño Indians for a Luiseño Native American tribal representative (observer/monitor) to work along with the consulting archaeologist. This tribal representative will assist in the identification of Native American resources and will act as a representative between the City, the Project proponent/developer, and Native American Tribal Cultural Resources Department. The Luiseño Native American tribal representative(s) should be on-site during all ground-disturbing of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, etc. The Native American tribal representative(s) should be on-site any time the consulting archaeologist is required to be on-site. Working with the consulting archaeologist, the Native American representative(s) shall have the authority to halt, redirect, or divert any activities in areas where the identification, recording, or recovery of Native American resources are on-going.</p> <p>The agreement between the proponent/developer and the Luiseño Native American tribe shall include, but not be limited to:</p> <ul style="list-style-type: none"> ▪ An agreement that artifacts will be reburied on-site and in an area of permanent protection; ▪ Reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist; ▪ Native American artifacts that cannot be avoided or relocated at the project site shall be prepared for curation at an accredited curation facility in Riverside County that meets federal standards (per 36 CFR Part 79) and available to archaeologists/researchers for further study; and ▪ The Project archaeologist shall deliver the Native American artifacts, including title, to the identified curation facility within a reasonable amount of time, along with applicable fees for permanent curation. <p>The Project proponent/developer shall submit a fully executed copy of the agreement to the City of Perris Planning Division to ensure compliance with this condition of approval. Upon verification, the City of Perris Planning Division shall clear this condition. This agreement shall not modify any condition of approval or mitigation measure.</p> <p>In the event that archaeological resources are discovered at the Project site or within the off-site Project improvement areas, the handling of the discovered resource(s) will differ, depending on the nature of the find. Consistent with California Public Resources Code Section 21083.2(b) and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation for Native American/tribal cultural/archaeological resources. However, it is understood that all artifacts, with the exception of human remains and related grave goods or sacred/ceremonial/religious objects, belong to the property owner. The property owner shall commit to the relinquishing and curation of all artifacts identified as being of Native American origin. All artifacts, Native American or otherwise, discovered during the monitoring program shall be recorded and inventoried by the consulting archaeologist.</p>						

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	<p>If any Native American artifacts are identified when Native American tribal representatives are not present, all reasonable measures shall be taken to protect the resource(s) in situ and the City Planning Division and Native American tribal representative(s) shall be notified. The designated Native American tribal representative will be given sufficient time to examine the find. If the find is determined to be of sacred or religious value, the Native American tribal representative will work with the City and project archaeologist to protect the resource in accordance with tribal requirements as may be feasible. All analysis will be undertaken in a manner that avoids destruction or other adverse impacts.</p> <p>In the event that human remains are discovered at the project site or within the off-site project improvement areas, mitigation measure MM CR-2 shall immediately apply and all items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling.</p> <p>Native American artifacts that are relocated/reburied at the project site would be subject to a fully executed relocation/reburial agreement with the assisting Luiseño tribe. This shall include, but not be limited to, an agreement that artifacts will be reburied on-site and in an area of permanent protection, and that reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist.</p> <p>Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation, as deemed appropriate, or returned to the property owner.</p> <p>Once grading activities have ceased and/or the archaeologist, in consultation with the designated Native American tribal representative, determines that monitoring is no longer warranted, monitoring activities can be discontinued following notification to the City of Perris Planning Division.</p> <p>A report of findings, including an itemized inventory of artifacts, shall be prepared upon completion of the tasks outlined above. The report shall include all data outlined by the Office of Historic Preservation guidelines, including a conclusion of the significance of all recovered, relocated, and reburied artifacts. A copy of the report shall also be filed with the City of Perris Planning Division, the University of California, Riverside, Eastern Information Center (EIC) and the Native American tribe(s) involved with the Project.</p>						
Would the Project disturb any human remains, including those interred outside of formal cemeteries?	<p>MM CR-2: Human Remains. In the event that human remains (or remains that may be human) are discovered at the project site or within the off-site project improvement areas during ground-disturbing activities, the construction contractors, project archaeologist, and/or designated Native American tribal representative shall immediately stop all activities within 100 feet of the find. Work outside of the 100-foot radius may continue. The project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b).</p> <p>If the coroner determines that the remains are of Native American origin, the coroner shall notify the Native American Heritage Commission (NAHC), which will identify the "Most Likely Descendent" (MLD). Despite the affiliation with any Native American tribal representative(s) at the site, the NAHC's identification of the MLD will stand. The MLD</p>	During construction	City of Perris Planning Division	Confirmation of coroner and NAHC contact and submittal of Report of Findings, if applicable			

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	<p>shall be granted access to inspect the site of the discovery of Native American human remains and may recommend to the project proponent means for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains will be determined in consultation between the project proponent and the MLD. In the event that there is disagreement regarding the disposition of the remains, State law will apply and median with the NAHC will make the applicable determination (see Public Resources Code Section 5097.98I and 5097.94(k)).</p> <p>The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings will be filed with the Eastern Information Center (EIC).</p>						
Geology and Soils							
Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<p>MM GEO-1: Worker's Environmental Awareness Program (WEAP). Prior to the start of the proposed Project activities, all field personnel will receive a worker's environmental awareness training on paleontological resources. The training will provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the Project area and offsite, the role of the Paleontological Monitor, outline steps to follow if a fossil discovery is made and provide contact information for the Project Paleontologist. The training shall be developed by the Project Paleontologist and can be delivered concurrent with other training including cultural, biological, safety, et cetera.</p>	Prior to issuance of a grading permit	City of Perris Planning Division	Confirmation of WEAP training program presentation			
	<p>MM GEO-2: Paleontological Mitigation Monitoring. Prior to the issuance of grading permits, the project proponent/developer shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP). The PRIMMP shall include the provision for a qualified professional paleontologist (or his or her trained paleontological representative) to be on-site for any project-related subsurface excavations. Selection of the paleontologist shall be subject to approval of the City of Perris Planning Manager and no grading activities shall occur at the project site or within the off-site project improvement areas until the paleontologist has been approved by the City.</p> <p>Monitoring shall be restricted to undisturbed subsurface areas of older Quaternary alluvium. The approved paleontologist shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The paleontologist shall also remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.</p> <p>Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved. Specimens shall be identified and curated and placed into an accredited repository (such as the Western Science Center or the Riverside Metropolitan Museum) with permanent curation and retrievable storage.</p> <p>A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory,</p>	Prior to issuance of a grading permit	City of Perris Planning Division	Confirmation of professional paleontologist retention Approval of PRIMMP / submittal of Report of Findings			

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	when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to paleontological resources.						
Noise							
Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project area in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	MM NOISE-1: Prior to occupancy, applicant shall limit cold storage loading and unloading activities to the western side of the Project site along the building's western dock area during all hours of operation.	Prior to issuance of occupancy permits	City of Perris Planning Division	Verification by City of incorporation of requirement in the Contractor Specifications Periodic Monitoring Reports			
Transportation							
Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	MM TRANS-1: Voluntary Commute Trip Reduction. Prior to occupancy, the Project tenant shall implement a Voluntary Commute Trip Reduction (CTR) marketing measure to encourage alternative transportation modes such as carpooling. Potential CTRs may include, but are not limited to, on-site and/or online commute information services on local transit options or ride-share coordination amongst employees.	Prior to issuance of occupancy permits	City of Perris Planning Division	Confirmation of marketing measure			
	MM TRANS-2: Carpool/Vanpool. Prior to occupancy, the Project shall be designed to provide designated carpool/vanpool parking in desirable locations on the Project site to encourage employees to rideshare.	Prior to issuance of occupancy permits	City of Perris Planning Division	Verification that designated carpool/vanpool parking are included in Project Site Plans			
Tribal Cultural Resources							
Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resource Code section 5020.1(k)?	See MM CR-1 and MM CR-2 above.	See MM CR-1 and MM CR-2 above.	See MM CR-1 and MM CR-2 above.				

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