



## **Chapter 7**

# **Mitigation Monitoring and Reporting Program**

Section 15097 of the California Environmental Quality Act (CEQA) Guidelines requires that a Mitigation Monitoring and Reporting Program (MMRP) be adopted upon certification of an Environmental Impact Report (EIR; including associated Findings), to ensure that the associated mitigation measures are implemented. Table 7-1 identifies the mitigation measures and specifies the entity (or entities) responsible for monitoring and reporting. Pursuant to Public Resources Code Section 21081.6, an MMRP is only required for impacts identified as significant or potentially significant in the EIR analysis. The environmental analysis resulted in the identification of a programmatic mitigation framework, which would reduce potentially significant impacts, but not to below a level of significance for all the environmental topics. Programmatic mitigation measures have been identified for air quality, biological resources, cultural and tribal cultural resources, Geology/Soils, and noise.

**Table 7-1  
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Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
<b>4.3 Air Quality</b>			
<p><b>AQ-1:</b> Applications for future development, wherein the Director of Community Development or his or her designee has determined a potential for air quality impacts associated with construction, shall prepare and submit a technical assessment evaluating potential project construction-related air quality impacts to the City for review and approval. The Director of Community Development or his or her designee shall make this determination based on the size of the project, whether the project would require a transportation impact analysis, or other criteria. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (SCAQMD) methodology for assessing air quality regional and local impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the SCAQMD's adopted regional and localized construction CEQA thresholds of significance, the City shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City. Mitigation measures to reduce construction-related emissions could include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Require fugitive-dust control measures that exceed SCAQMD's Rule 403 requirements, such as: <ul style="list-style-type: none"> <li>○ Use of nontoxic soil stabilizers to reduce wind erosion.</li> <li>○ Apply water every four hours to active soil-disturbing activities.</li> <li>○ Tarp and/or maintain a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.</li> </ul> </li> <li>• Encourage the use of construction equipment equal to or greater than 50 horsepower be electrically powered or alternatively fueled. At a minimum, use construction equipment rated by the United States Environmental Protection Agency as having Tier 4 Final (model year 2008 or newer) emission limits. Include this requirement in applicable bid documents, purchase orders, and contracts.</li> <li>• Ensure that construction equipment is properly serviced and maintained to the manufacturer's standards.</li> <li>• Limit nonessential idling of construction equipment to no more than five consecutive minutes.</li> <li>• Limit on-site vehicle travel speeds on unpaved roads to 15 miles per hour.</li> <li>• Install wheel washers for all exiting trucks or wash off all trucks and equipment leaving the project area.</li> <li>• Use Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the SCAQMD's website.</li> </ul>	<p>Technical analysis required prior to project approval.</p>	<p>City</p>	
<b>4.4 Biological Resources</b>			
<p><b>BIO-1:</b> Applications for future development of vacant properties (and portions thereof), wherein the Director of Community Development or his or her designee has determined a potential for impacts to sensitive biological resources, shall be required to prepare a site-specific general biological resources survey to identify the presence of any sensitive biological resources, including any sensitive plant or wildlife species. The report shall identify the need for focused presence/absence surveys and identify the presence of state or federal regulated wetlands or waters. If potentially significant impacts to sensitive biological resources, including sensitive species and/or wetlands are identified, the report shall also recommend appropriate mitigation to reduce the impacts to below a level of significance.</p>	<p>Technical analysis required prior to project approval.</p>	<p>City/Qualified Biologist</p>	
<p><b>BIO-2:</b> Applications for future development, wherein the Director of Community Development or his or her designee has determined a potential for impacts to mature trees and/or native vegetation suitable for nesting birds, shall be required to restrict removal of sensitive habitat and vegetation to outside the breeding seasons of any sensitive species identified within adjacent properties (typical bird breeding season is February 1–September 1. as early as January 1 for some raptors). If vegetation clearing must begin during the breeding season, a qualified biologist shall provide recommendations to avoid impacts to nesting birds which typically includes a pre-construction survey within 3 days of the start of construction to determine the presence of active nests.</p> <p>If active nests are found, avoidance measures shall be implemented to ensure protection of the nesting birds. Avoidance measures may include a no-activity buffer zone, typically 300 feet from the area of disturbance or 500 feet for raptors, established at the discretion of the qualified biologist in consultation with the City. If activity buffer zones are not feasible, temporary noise barriers may be installed to attenuate construction noise. Noise wall height and adequacy shall be supported by a noise analysis to determine the anticipated construction noise levels with attenuation measures as recommended by the biologist and approved by the City. Periodic noise monitoring shall be conducted during construction to ensure noise attenuation standards are met. Accepted noise levels are species dependent and existing ambient noise levels can play a factor in establishing baseline acceptable noise.</p>	<p>Technical analysis required prior to project approval.</p>	<p>City/Qualified Biologist</p>	
<b>4.5 Cultural and Tribal Cultural Resources</b>			
<p><b>CUL-1:</b> Prior to the issuance of any permit for a future development site-specific project that would directly or indirectly affect a building/structure in excess of 50 years of age, the City or a qualified architectural historian shall determine whether the affected building/structure is historically significant. The evaluation shall be based on criteria such as age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in the CEQA guidelines. If the evaluation determines that building/structure is not historic, no further evaluation or mitigation would be required. If the building/structure is determined to be historically significant, the preferred mitigation would be to avoid the resource through project redesign. If the</p>	<p>Technical analysis required prior to project approval.</p>	<p>City/Qualified Architectural Historian</p>	

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resource cannot be avoided, all prudent and feasible measures to minimize or mitigate harm to the resource shall be taken per recommendations of the qualified architectural historian.			
<p><b>CUL-2:</b> Prior to issuance of any permit for a future site-specific project that would potentially have a direct or indirect affect an archaeological resource, the City shall require the following steps be taken to determine: (1) the presence of archaeological resources, and (2) the appropriate mitigation for any significant resources which may be impacted by project development. The following steps would help determine the presence or absence of archaeological resources.</p> <p>Step 1: An archaeologist shall conduct records and background research at the Eastern Information Center for a list of recorded resources and request a sacred lands file search from the Native American Heritage Commission.</p> <p>Step 2: After review of this data, a pedestrian survey shall be conducted by a qualified archaeologist.</p> <p>Step 3: If through the research and the field survey, archaeological resources are identified, then an evaluation of significance shall be completed by a qualified archaeologist. The evaluation program generally will include excavation to determine depth, extent, integrity, and content of the subsurface cultural material.</p> <p>Step 4: The results of the excavation will be evaluated using the Thresholds above in Section 4.5.4.</p> <p>Step 5: If an archaeological resource is determined significant and avoidance through project redesign is not feasible, a data recovery and construction monitoring program must be implemented to reduce the impacts the archaeological resource to below a significant level. The data recovery program must be approved by the City.</p> <p>Step 6: A final data recovery and/monitoring report shall be completed in accordance with the California Office of Historic Preservation’s Archaeological Resource Management Reports: Recommended Content and Format. Confidential attachments must be submitted under separate covers. Artifacts collected during the evaluation and data recovery phases must be curated at an appropriate facility consistent with state (California State Historic Resources Commission’s Guidelines for Curation of Archaeological Collection 1993) and federal curation standards (36 CFR 79 of the Federal Register) and that allows access to artifact collections.</p>	Technical analysis required prior to project approval.	City/Qualified Archaeologist	
<p><b>CUL-3:</b> If human remains are unintentionally disturbed during archaeological excavations or construction activities, implementation of the procedures set forth in PRC Section 5097.98 and California State Health and Safety Code 7050.5 would be implemented in consultation with the MLD as identified by the NAHC. California State Health and Safety Code Section 7050.5 dictates that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined by the County Coroner to be Native American, the NAHC shall be notified within 24 hours. The NAHC shall identify the MLD with whom consultation shall occur to determine in the treatment and disposition of the remains.</p>	During Construction	City/Qualified Archaeologist	
<b>4.7 Geology/Soils</b>			
<p><b>PAL-1:</b> Applications for future development, wherein the Community Development Director or his or her designee has determined a potential for impacts to paleontological resources, shall review the underlying geology and paleontological sensitivity of the site. If it is determined that the potential exists that sensitive paleontological resources are present, the applicant shall be required to comply with the following mitigation framework.</p> <p>A qualified paleontological monitor shall be present during grading in project areas where a project specific geological technical study has determined that such monitoring is necessary due to the potential for paleontological resources to reside within the underlying geologic formations. The geologic technical study shall also provide specific duties of the monitor, and detailed measures to address fossil remains, if found.</p>	During Construction	City/Qualified Paleontologist	
<b>4.13 Noise</b>			
<p><b>NOS-1:</b> The Director of Community Development or his or her designee shall require applicants to demonstrate whether the project has the potential to exceed noise standards contained in Sections 8.14.040(E) and 11.80.030(D)(7) of the Municipal Code. If a project may exceed standards or is located adjacent to sensitive receptors, the City may require the applicant to prepare a Noise Analysis that estimates construction noise and identifies noise reduction measures that would ensure compliance with Municipal Code standards. Construction plans submitted to the City shall identify applicable measures on demolition, grading, and construction plans submitted to the City. Noise reduction measures can include, but are not limited to, the following:</p> <ol style="list-style-type: none"> <li>1. Demolition, construction, site preparation, and related activities that would generate noise perceptible at the property line of the subject property are limited to the hours between 7:00 a.m. to 7:00 p.m. from Monday through Friday excluding holidays and from 8:00 a.m. to 4:00 p.m. on Saturdays. The building inspector may issue an exception to this limitation on hours in cases of urgent necessity where the public health and safety will not be substantially impaired.</li> <li>2. Idling times for noise-generating equipment used in demolition, construction, site preparation, and related activities shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes.</li> <li>3. Demolition, construction, site preparation, and related activities within 70 feet from the edge of properties with existing, occupied noise-sensitive uses shall incorporate all feasible strategies to reduce noise exposure for noise-sensitive uses, including:</li> </ol>	Technical analysis required prior to project approval.	City	

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<p>a. Provide written notice to all known occupied noise-sensitive uses within 400 feet of the edge of the project site boundary at least 2 weeks prior to the start of each construction phase of the construction schedule;</p> <p>b. Ensure that construction equipment is properly maintained and equipped with noise control components, such as mufflers, in accordance with manufacturers' specifications;</p> <p>c. Re-route construction equipment away from adjacent noise-sensitive uses;</p> <p>d. Locate noisy construction equipment away from surrounding noise-sensitive uses;</p> <p>e. Use sound aprons or temporary noise enclosures around noise-generating equipment;</p> <p>f. Position storage of waste materials, earth, and other supplies in a manner that will function as a noise barrier for surrounding noise-sensitive uses;</p> <p>g. Use the quietest practical type of equipment;</p> <p>h. Use electric powered equipment instead of diesel or gasoline engine powered equipment; Use shrouding or shielding and intake and exhaust silencers/mufflers; and</p> <p>i. Other effective and feasible strategies to reduce construction noise exposure for surrounding noise-sensitive uses.</p> <p>4. For construction of buildings that require the installation of piles, an alternative to installation of piles by hammering shall be used. This could include the use of augured holes for cast-in-place piles, installation through vibration or hydraulic insertion, or another low-noise technique.</p>			
<p><b>NOS-2:</b> Prior to issuance of a building permit for a project requiring pile driving during construction within 135 feet of fragile structures, such as historical resources, 100 feet of non-engineered timber and masonry buildings (e.g., most residential buildings), or within 75 feet of engineered concrete and masonry (no plaster); or a vibratory roller within 25 feet of any structure, the project applicant shall prepare a noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these activities. This noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed Federal Transit Administration (FTA) architectural damage thresholds (e.g., 0.12 inches per second [in/sec] peak particle velocity [PPV] for fragile or historical resources, 0.2 in/sec PPV for non-engineered timber and masonry buildings, and 0.3 in/sec PPV for engineered concrete and masonry). If vibration levels would exceed this threshold, alternative uses such as drilling piles as opposed to pile driving and static rollers as opposed to vibratory rollers shall be used. If necessary, construction vibration monitoring shall be conducted to ensure vibration thresholds are not exceeded.</p>	<p>Technical analysis required prior to project approval.</p>	<p>City</p>	