

Mitigation Monitoring and Reporting Program

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). This mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Initial Study-Mitigated Negative Declaration (IS-MND), specifications are made herein that identify the City action required and the City monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in this Mitigation Monitoring and Reporting Program.

Mitigation Measure/ Condition of Approval	City Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
BIOLOGICAL RESOURCES							
BIO-1: Nesting Bird Surveys and Avoidance							
<p>Prior to issuance of grading permits, the following measures shall be implemented:</p> <ul style="list-style-type: none"> To avoid disturbance of nesting birds, including raptorial species protected by the MBTA and CFGC, construction activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 31). If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than seven days prior to initiation of construction activities. The nesting bird pre-construction survey shall be conducted on foot inside the project site, including a 100-foot buffer, and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practical. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in southern California. If nests are found, an avoidance buffer shall be demarcated by a qualified biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No parking, storage of materials, or construction activities shall occur within this buffer until the biologist has confirmed 	<p>Monitor construction schedule to determine if all construction activities, including, but not limited to vegetation removal, ground disturbance, and construction and demolition, will occur outside of the bird breeding season (February 1 through August 31).</p> <p>If construction will not be conducted outside the bird breeding season (February 1 through August 31) verify that a qualified biologist has prepared a pre-construction nesting bird survey.</p> <p>If nests are found during the pre-construction nesting bird survey, verify that a qualified biologist has demarcated an avoidance buffer and notified the City, the construction contractor, and all construction personnel of the existence of the buffer zone and all other avoidance requirements of this mitigation measure.</p> <p>If the monitoring and reporting requirements of this mitigation measure are triggered, verify that a survey report by the qualified biologist documenting and verifying compliance with this mitigation measure and with applicable State and federal regulations protecting birds has been submitted to the City.</p>	<p>Monitor construction schedule prior to construction</p> <p>Review pre-construction nesting bird survey no more than seven days prior to construction</p> <p>Review record of avoidance buffer after a nest has been identified by the qualified biologist but before initiation of construction activities, and after completion of construction activities or after breeding/nesting is complete.</p> <p>Verify receipt of survey report after submission to City</p>	<p>Construction schedule monitoring: at least once prior to construction.</p> <p>Review pre-construction nesting bird survey: once</p> <p>Review record of avoidance buffer: once after a nest has been identified and once after completion of construction activities or after breeding/nesting season is complete</p> <p>Verify receipt of survey</p>	<p>City of West Covina Planning Division</p>			

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<p>that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.</p> <ul style="list-style-type: none"> A survey report by the qualified biologist documenting and verifying compliance with the mitigation and with applicable State and federal regulations protecting birds shall be submitted to the City. The qualified biologist shall serve as a construction monitor during those periods when construction activities would occur near active nest areas to ensure that no inadvertent impacts on these nests would occur. 			report: once				
CULTURAL RESOURCES							
CR-1: Worker’s Environmental Awareness Program							
<p>A qualified archaeologist shall be retained to conduct a Worker’s Environmental Awareness Program (WEAP) training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The training shall be conducted by an archaeologist who meets or exceeds the Secretary of Interior’s Professional Qualification Standards for archaeology (National Park Service [NPS] 1983). Archaeological sensitivity training shall include a description of the types of cultural material that may be encountered, cultural sensitivity issues, the regulatory environment, and the proper protocol for treatment of the materials in the event of a find.</p>	<p>Confirm that the applicant and/or construction contractor has complied with the requirements of this mitigation measure</p>	<p>Prior to the commencement of any ground-disturbing activities</p>	<p>Once</p>	<p>City of West Covina Planning Division</p>			

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GEOLOGY AND SOILS							
GEO-1: Overexcavation and Recompanction							
<p>To reduce the potential for adverse total and differential settlement of the proposed structures, the underlying subgrade soil shall be prepared in such a manner that a uniform response to the applied loads is achieved. For the proposed structures, onsite soils shall be overexcavated to a minimum depth of seven feet below the existing ground surface or four feet below the bottom of the proposed footings, whichever is deeper. In addition, all undocumented artificial fill should be removed. Deeper overexcavation may be recommended, depending on building loads. Where possible, the removal bottom should extend horizontally a minimum of five feet from the outside edges of the footings (including columns connected to the buildings), or a distance equal to the depth of over excavation below the footings, whichever is farther. During over excavation, the soil conditions should be observed by a qualified geotechnical engineer to further evaluate these recommendations based on actual field conditions encountered. A firm removal bottom should be established across the building footprint to provide uniform foundation support for the proposed structure. The removal bottom should be observed and tested prior to placing fill. Deeper over excavation and recompaction may be recommended locally until a firm removal bottom is achieved. Areas outside of the proposed structures planned for new asphalt or concrete pavement (such as drive aisles, parking areas or fire lanes), flatwork (such as sidewalks), site walls and low retaining walls (taller walls should be over excavated per the</p>	<p>Confirm that the applicant and/or construction contractor has complied with the requirements of this mitigation measure</p>	<p>Prior to issuance of building permits</p>	<p>Once</p>	<p>City of West Covina Planning Division and City of West Covina Building Division</p>			

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<p>recommendations for buildings), areas to receive fill, and other improvements, should be over excavated to a minimum depth of 24 inches below existing grade or 12 inches below proposed subgrade (including the footing subgrade for walls), whichever is deeper. After completion of the overexcavation, and prior to fill placement, the exposed surfaces should be scarified to a minimum depth of six inches, moisture conditioned to or slightly above optimum moisture content, and recompacted to a minimum 90 percent relative compaction, relative to the ASTM D1557 laboratory maximum density.</p>							
GEO-2: Unanticipated Discovery of Paleontological Resources							
<p>In the event an unanticipated fossil discovery is made during the course of project development, construction activity shall be halted in the immediate vicinity of the fossil, and a qualified professional paleontologist shall be notified and retained to evaluate the discovery, determine its significance, and determine if additional mitigation or treatment is warranted. Work in the area of the discovery shall resume once the find is properly documented and the qualified professional paleontologist authorizes resumption of construction work. Any significant paleontological resources found during construction monitoring will be prepared, identified, analyzed, and permanently curated in an approved regional museum repository under the oversight of the qualified paleontologist.</p>	<p>Confirm that the applicant and/or construction contractor has halted construction activity in the immediate vicinity of any fossil discovery</p>	<p>Upon notification of an unanticipated fossil discovery</p>	<p>Once</p>	<p>City of West Covina Planning Division</p>			
	<p>Confirm that the find is properly documented and all other requirements of this mitigation measure have been or will be complied with</p>	<p>Prior to resumption of work in the immediate vicinity of the fossil</p>	<p>Once</p>	<p>City of West Covina Planning Division</p>			

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NOISE							
N-1: Construction Noise Reduction							
Noise barriers with a minimum height of ten feet shall be erected along the western boundary of the construction site when construction is performed within 50 feet of the adjacent single-family residences and Discovery Montessori School/Preschool at this boundary. The noise barriers shall be constructed of material with a minimum weight of two pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, and hay bales.	Verify that the noise barriers required by this mitigation measure have been erected	Prior to initiation of construction activities within 50 feet of the single-family residences and school adjacent to the project site's western boundary	Once	City of West Covina Planning Division and City of West Covina Building Division			
N-2: Sound Insulation							
The applicant shall submit a report and/or project plans proving compliance with either the prescriptive or performance methods described in Sections 5.507.4.1 and 5.507.4.2 of the CCR. To achieve compliance per the prescriptive method, wall and roof-ceiling assemblies with direct line-of-sight to I-10 shall meet a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30, as described in Title 24, Part 11, Section 5.507.4.1 of the CCR. To achieve compliance with the performance method, wall and roof-ceiling assemblies exposed to the noise shall be constructed to provide an interior noise environment that does not exceed 50 dB L_{eq-1} -hour in occupied areas during hours of operation, as described in Title 24, Part 11, Section 5.507.4.2 of the CCR.	Confirm that the applicant has complied with the requirements of this mitigation measure	Prior to issuance of building permits	Once	City of West Covina Building Division			

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TRIBAL CULTURAL RESOURCES							
TCR-1: Retain a Native American Monitor							
<p>The project applicant shall obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to, pavement removal, potholing or auguring, grubbing, weed abatement, boring, grading, excavation, drilling, and trenching, within the project area. The monitor(s) shall be present on-site during the construction phases that involve any ground disturbing activities. The Native American Monitor(s) shall complete monitoring logs on a daily basis that provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the construction-related ground disturbance activities are completed, or when the monitor has indicated that the site has a low potential for archeological resources.</p>	<p>Confirm that the applicant has obtained the services of a qualified Native American Monitor(s)</p>	<p>Prior to construction-related ground disturbance activities</p>	<p>Once</p>	<p>City of West Covina Planning Division</p>			
	<p>Confirm that the monitor(s) are present on-site during ground-disturbing construction activities</p>	<p>During ground-disturbing activities</p>	<p>Periodically</p>	<p>City of West Covina Planning Division</p>			
	<p>Confirm completion of monitoring logs by Native American Monitor(s)</p>	<p>During ground-disturbing activities</p>	<p>Periodically until construction-related ground disturbance activities are completed, or when the monitor has indicated that the site has a low potential for archaeological resources</p>	<p>City of West Covina Planning Division</p>			
TCR-2: Unanticipated Discovery of Tribal Cultural Resources							
<p>A qualified archaeologist and Native American Monitor shall be present during construction-related ground disturbance activities in order to identify any unanticipated discovery of tribal cultural resources. The qualified archaeologist and Native American Monitor may be separate</p>	<p>Confirm that a qualified archaeologist and Native American monitor have been retained by the applicant or construction contractor and will be present during construction-related ground disturbance activities</p>	<p>Prior to construction-related ground disturbance activities</p>	<p>Once</p>	<p>City of West Covina Planning Division</p>			

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<p>individuals or the same individual if the City determines that individual qualifies as both a qualified archaeologist and Native American Monitor. All archaeological resources unearthed by construction activities shall be evaluated by the qualified archaeologist and Native American Monitor. If the resources are determined to be human remains (see also Mitigation Measure TCR-3) the coroner shall be notified, and if the human remains are Native American in origin, the coroner shall notify the NAHC as mandated by state law, who will then appoint a Most Likely Descendent (MLD). The MLD shall then coordinate with the landowner regarding treatment and curation of these resources. Typically, the MLD will request reburial or preservation for educational purposes. If a resource is determined by the qualified archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to PRC Section 21083.2(g), the qualified archaeologist shall coordinate with the applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native</p>	<p>If any archaeological resources are unearthed by construction activities, confirm that all applicable requirements of this mitigation measure are carried out</p>	<p>When archaeological resources are unearthed by construction activities</p>	<p>Once per each occurrence of archaeological resources being unearthed by construction activities</p>	<p>City of West Covina Planning Division</p>			

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<p>American in origin 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, they shall be donated to a local school or historical society in the area for educational purposes.</p>							
<p>TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary Objects</p>							
<p>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 burial of associated cultural resources (Funerary objects) with the deceased, and the ceremonial burning of human remains. These remains 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. The Native American Graves Protection and Repatriation Act (NAGPRA) guidance specifically states that the federal agencies will consult with organizations on whose aboriginal lands the remains and cultural items might be discovered, who are reasonably known to have a cultural relationship to the human remains and other cultural items. Therefore, for this project site, it is appropriate to consult with local Native American groups as recommended by the</p>	<p>If any human remains and associated funerary objects are discovered on the project site, consult with local Native American groups as recommended by the NAHC.</p>	<p>Upon notification of any discovery of human remains and associated funerary objects on the project site</p>	<p>Once per discovery</p>	<p>City of West Covina Planning Division</p>			
	<p>If any discoveries of human skeletal material are made, confirm that the monitor diverts work at a minimum of 50 feet from the discovery, places an exclusion zone around the burial, and notifies the Qualified Archaeologist and the construction manager who shall then call the Coroner, and that all other applicable requirements of this mitigation measure are carried out.</p>	<p>Upon notification of any discovery of human skeletal remains on the project site</p>	<p>Once per discovery</p>	<p>City of West Covina Planning Division</p>			
	<p>If any discoveries of human skeletal remains are determined by the Coroner to be Native American, confirm that all applicable requirements of this mitigation measure are carried out.</p>	<p>Upon a determination by the Coroner that any discovery of human skeletal remains are Native American</p>	<p>Once per discovery</p>	<p>City of West Covina Planning Division</p>			

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<p>NAHC.</p> <p>Any discoveries of human skeletal material shall be immediately reported to the County Coroner. The monitor shall immediately divert work at a minimum of 50 feet and place an exclusion zone around the burial. The monitor shall then notify the Qualified Archaeologist and the construction manager who shall call the coroner. Work shall continue to be diverted while the coroner determines whether the remains are Native American. The discovery shall be kept confidential and secure to prevent any further disturbance. If Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent. The Most Likely Descendant shall provide recommendations as to the treatment and disposition of the human remains within 48 hours MLD designation. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains shall be covered with a protective casing to prevent further damage or looting.</p> <p>If the coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the coroner. Reburial will be in an appropriate setting. If the coroner determines the remains to be modern, the coroner will take custody of the remains. Each occurrence of human remains and associated funerary objects shall be stored in accordance with methods agreed upon between the MLD and the landowner.</p>							