

Appendix K

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Introduction to the MMRP

The California Environmental Quality Act (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 [PRC] 21081.6). PRC Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final certification of the Final Initial Study-Mitigated Negative Declaration (IS-MND).

This mitigation monitoring and reporting program (MMRP) is intended to track and ensure compliance with adopted mitigation measures during the project implementation phase. For each mitigation measure recommended in the IS-MND, specifications are made herein that identify the action required, the monitoring that must occur, and the agency or department responsible for oversight.

MMRP Matrix

Table 1, *Mitigation Monitoring and Reporting Program*, below, lists mitigation measures and project design features that reduce the potentially significant effects of the proposed project to a less than significant level. These measures correspond to those discussed in in the IS-MND. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised that identifies the timing and entity/agency responsible for monitoring each measure. The City of West Covina will have the responsibility for implementing the measures, and various public agencies will have the primary responsibility for enforcing, monitoring, and reporting the implementation of the mitigation measures.

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Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
Biological Resources			
BIO-1: Nesting Bird 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, the 100-foot 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 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. ▪ A survey report by the qualified biologist documenting and verifying compliance with the mitigation and 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. 	<p>Preconstruction survey results and written verification of appropriate buffers or mitigation measures if bird nests are identified in the survey.</p>	<p>Prior to issuance of grading permits. If construction activities will take place between February 1 and August 31, confirm that the applicant has contracted with a qualified biologist to conduct a preconstruction nesting survey within 7 days of commencing construction, and review the survey report to verify that buffers and recommended measures to avoid nests are in place prior to commencing construction.</p>	<p>City of West Covina Planning Division</p>
BIO-2: Tree Protection Measures			
<p>The following measures are required to avoid and minimize impacts to the overhanging California sycamore, a significant tree not proposed for removal. The planning director may impose additional measures determined necessary to preserve and protect the health of trees not planned for removal.</p> <ul style="list-style-type: none"> ▪ All personnel shall be educated by a certified arborist regarding tree protection measures prior to working adjacent to the California sycamore. The education shall include an 	<p>Receipt of proof that all construction personnel have been educated by a certified arborist regarding tree protection measures</p>	<p>Prior to work adjacent to the California sycamore</p>	<p>City of West Covina Planning Division</p>

Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
<p>explanation of the tree protection measures and the protocol for working within the tree’s dripline.</p> <ul style="list-style-type: none"> ▪ The California sycamore shall be shielded from damage during construction with an appropriate construction barrier, such as chain link and steel stake fence enclosing the entire dripline area. All exposed roots shall be inside the fence or barrier. The fence or barrier shall have a minimum height of 6 feet measured from the grade. The fence or barrier shall be installed prior to commencement of any development activity on the site and shall remain in place throughout all phases of construction. Fences may not be removed without obtaining written authorization from the Planning Director. ▪ Branches that interfere with the development activity may be pruned to the satisfaction of the Planning Director, superintendent of maintenance operations, or arborist. ▪ Compaction of the soil within the dripline of the California sycamore shall be minimized to the greatest extent feasible. ▪ Cutting of roots shall not occur within a distance equal to three and one-half times the trunk diameter, as measured at ground level. The trunk diameter of the California sycamore is 26 inches; accordingly, the appropriate root avoidance distance is at least 7.5 feet from the trunk. Any roots encountered within the dripline shall be cleanly cut with a sharp cutting tool such as a lopping shear or hand saw and not ripped by equipment. 	<p>Receipt of proof that measures to shield the California sycamore from damage have been carried out</p> <p>Verify that any activities permitted in the last three bullets of this mitigation measure are carried out consistent with the requirements of the mitigation measure</p>	<p>Prior to commencement of any development activity on the site</p> <p>Prior to or during these activities</p>	<p>City of West Covina Planning Director</p> <p>City of West Covina Planning Director, superintendent of maintenance operations, or arborist</p>

Cultural Resources

CR-1: Worker’s Environmental Awareness Program

<p>A qualified archaeologist who meets or exceeds the Secretary of Interior’s Professional Qualifications Standards for archeology (National Park Service [NPS] 1983) should conduct WEAP training, prior to the commencement of any ground-disturbing activities. The sensitivity training should 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 and disposition of cultural materials in the event of a find. The training should be required for all earthmoving construction personnel and a sign-in-sheet also will be required.</p>	<p>Contract with qualified archaeologist; submittal of WEAP training materials and logs to the City prior to the start of construction</p>	<p>Prior to start of construction</p>	<p>City of West Covina Planning Division</p>
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CR-2: Archaeological Monitoring

<p>Archaeological monitoring of all project-related ground disturbing activities by a qualified archaeologist as designated by the lead agency shall be performed under the guidance and direction of a Project Archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archeology (National Park Service 1983). Monitors shall have the</p>	<p>Written verification of compliance with archaeological monitoring requirements</p>	<p>Prior to project-related ground disturbing activities, confirm that the applicant has provided written evidence that a</p>	<p>City of West Covina Planning Division</p>
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Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
<p>authority to halt and redirect work should any archaeological resources be identified during monitoring. If archaeological resources are encountered during ground-disturbing activities, work in the immediate area must halt and the find evaluated for listing in the CRHR. Construction monitoring may be reduced or halted at the discretion of the Project Archaeologist, in consultation with the lead agency, as warranted by conditions that include, but are not limited to encountering bedrock, non-native sediments (infill), or negative findings. Should archaeological spot-checking be recommended by the Project Archaeologist, it shall only occur in areas of new construction, where ground disturbance will extend to depths not previously reached (unless those depths are within bedrock). Upon completion of project related ground disturbance and monitoring efforts, a monitoring report should be submitted to the City of West Covina for review and approval, and the final report shall be transmitted to the South Central Coastal Information Center housed at California State University, Fullerton.</p>		<p>qualified archaeologist has been retained</p> <p>During ground-disturbing phases of construction, if any archaeological resources are discovered, ensure that all applicable actions of this mitigation measure are carried out.</p>	<p>City of West Covina Planning Division</p>
CR-3: Unanticipated Discovery of Archaeological Resources			
<p>In the unlikely event archaeological resources are unexpectedly encountered during ground-disturbing activities after monitoring has been reduced, work in the immediate area including a 50-foot buffer shall be halted and an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archeology (National Park Service 1983) shall be contacted immediately to evaluate the find. If the find is prehistoric, then a Native American representative shall also be contacted to participate in the evaluation of the find (see also Mitigation Measure TCR-1 of this IS-MND). If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be eligible for the CRHR and cannot be avoided by the proposed project, additional work, such as data recovery excavation, may be warranted to mitigate any significant impacts to cultural resources to less than a significant level.</p>	<p>Written verification of compliance with the requirements of this mitigation measure</p>	<p>If archaeological resources are encountered, confirm that work has been halted and a qualified archaeologist has been retained and that all applicable actions of this mitigation measure are carried out before work resumes</p>	<p>City of West Covina Planning Division</p>
CR-4: Unanticipated Discovery of Human Remains			
<p>In the event of an unanticipated discovery of human remains, the Los Angeles County Coroner must be notified immediately and all work within the immediate area shall be halted and no further disturbance shall occur until the county coroner has made a determination of origin and disposition of the remains pursuant to PRC Section 5097.98 and to the State of California Health and Safety Code Section 7050.5. If the human remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and make recommendations to the landowner within 48 hours of being granted access. The requirements of Mitigation Measure TCR-1 of this IS-MND shall also be carried out.</p>	<p>Written verification of compliance with the requirements of this mitigation measure</p>	<p>If human remains are encountered, confirm that work has been halted and all applicable actions of this mitigation measure are carried out before work resumes</p>	<p>City of West Covina Planning Division</p>

Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
Geology and Soils			
GEO-1: 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 shall be prepared, identified, analyzed, and permanently curated in an approved regional museum repository under the oversight of the qualified paleontologist.</p>	<p>Written verification of compliance with the requirements of this mitigation measure</p>	<p>If fossil discoveries are made during ground-disturbing phases of construction, confirm that a qualified paleontologist has been retained and all applicable actions of this mitigation measure are carried out</p>	<p>City of West Covina Planning Division</p>
Hazards and Hazardous Materials			
HAZ-1: Testing and Disposal for Building Materials Containing ACMs, Lead-Based Paint, and PCBs			
<p>Prior to issuance of a demolition permit for any building on the project site, the applicant shall obtain and submit to the City for review and approval a letter from a qualified consultant verifying that no ACMs, lead-based paint, or PCB-containing materials are present in the on-site buildings. If any of these materials are found to be present, they shall be abated in compliance with SCAQMD Rule 1403, as well as other applicable State and federal rules and regulations. Only asbestos trained and certified abatement personnel shall be allowed to perform asbestos abatement activities on-site. All such materials removed from any on-site structure shall be hauled and disposed off-site by a transportation company certified to handle these materials. If these abatement measures are necessary, the applicant shall submit documentation to the City demonstrating that they have been properly carried out prior to issuance of building permits for the project.</p>	<p>Written verification that applicant has retained a qualified asbestos abatement consultant and that ACM abatement (if required) has been appropriately completed.</p>	<p>Prior to issuance of demolition permits</p>	<p>City of West Covina Planning Division, SCAQMD</p>
HAZ-2: Near-Surface Soil Testing, Soil Gas Assessment, and Soil Management Plan			
<p>Prior to issuance of grading permits, the applicant shall retain a qualified consult to carry out the following mitigation measures for potential soil contamination:</p> <ul style="list-style-type: none"> ▪ Perform sampling of near-surface soil to determine if potential impacts from residual agricultural chemicals exist at the project site ▪ Perform a soil gas assessment to evaluate soil gas and potential vapor intrusion conditions at the project site ▪ Prepare a Site Management Plan for proper handling of any soil or groundwater that may 	<p>Written verification that the applicant has retained a qualified consultant to carry out this mitigation measure</p>	<p>Prior to issuance of grading permits</p>	<p>City of West Covina Planning Division</p>

Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
<p>be generated during project construction activities</p> <p>The applicant shall submit the results of the near-surface soil testing and soil gas assessment, and the Site Management Plan, to the City for review and approval prior to issuance of grading permits.</p>	<p>Review and approval of the results of the near-surface soil testing and soil gas assessment and the Site Management Plan</p>	<p>Prior to issuance of grading permits</p>	<p>City of West Covina Planning Division</p>

Noise

N-1: Construction Noise Reduction

<p>The project contractor shall be required to implement noise reduction measures during construction, which may include but are not limited to:</p> <ul style="list-style-type: none"> ▪ Schedule construction activities to avoid operating several pieces of equipment simultaneously, which can cause high noise levels ▪ Enclose stationary equipment with materials capable of reducing noise levels by at least 10 dBA (see Appendix H for barrier specifications) ▪ Locate all construction areas for staging and warming up as far as possible from adjacent residential buildings and sensitive receivers ▪ Erect temporary noise barriers with a minimum height of 10 feet along the southwestern boundary of the construction site when construction is performed within 50 feet of the residences at these boundaries. 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. Per the specification in Appendix H, barriers would be able to reduce construction noise by 10 to 20 dBA. 	<p>Written and field verification of noise reduction measures</p>	<p>Prior to construction, review and approve a written description of noise reduction measures submitted by the applicant that shall be implemented.</p> <p>Once prior to and then periodically during construction, confirm through field verification that these measures have been implemented</p>	<p>City of West Covina Planning Division and City of West Covina Building Division</p>
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N-2: Sound Insulation

<p>To comply with Title 24, Part 2, Section 1206.4 (Allowable Interior Noise Levels) of the California Code of Regulations, the applicant shall install exterior building materials with sufficient Sound Transmission Class (STC) ratings to reduce interior noise levels in habitable rooms to 45 CNEL or lower. To reduce potential noise impacts to future project residents, residential units fronting on West Cameron Avenue shall incorporate design measures for windows, walls, and doors that achieve a composite STC rating of at least 30 and all exterior doors and windows shall be installed such that there are no air gaps or perforations. This requirement shall be incorporated into the plans to be submitted by the applicant to the City of West Covina for review and</p>	<p>Written verification of design measures and Acoustical Analysis.</p>	<p>Prior to issuance of building permits, review and approve applicant-provided acoustical design measures</p> <p>Prior to issuance of an occupancy permit, review and approve applicant-provided acoustical analysis</p>	<p>City of West Covina Building Division</p>
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Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
approval prior to the issuance of building permits. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels in the interior livable spaces do not exceed the interior noise standard of 45 CNEL in any habitable room as set forth by the City and California Code of Regulations, Title 24, Section 1206.4.		demonstrating that noise levels do not exceed the interior noise standard of 45 CNEL in any habitable room as set forth by the City	

Transportation

TRAN-1: Traffic Safety and Control

<p>For safety purposes, the applicant shall incorporate all recommendations provided by the City traffic engineer and City Conditions of Approval into the final grading, landscaping, and street improvement plans submitted to the City for review; and these plans shall also show the following improvements:</p> <ul style="list-style-type: none"> ▪ Construct the West Cameron Avenue (North-South) at Project Driveway (East-West) to provide one inbound lane and one outbound lane with eastbound stop-control and the following lane configurations: <ul style="list-style-type: none"> ○ Northbound – One left turn lane (two-way left turn median) and two through lanes ○ Southbound – One through lane and one shared through/right turn lane ○ Eastbound – One shared left/right turn lane <p>The City traffic engineer shall confirm that these recommendations, conditions of approval, and project design features have been incorporated into the final grading, landscaping, and street improvement plans before they are approved by the City.</p>	Review contents of final grading, landscaping, and street improvement plans and confirm that they comply with the requirements of this mitigation measure	Before approval of final grading, landscaping, and street improvement plans by City	City of West Covina Traffic Engineer
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Mitigation Measure/ Condition of Approval	Method of Verification	Timing of Implementation	Enforcement Agency
Tribal Cultural Resources			
TCR-1: Unanticipated Discovery of Tribal Cultural Resources			
<p>In the event that cultural resources of Native American origin are identified during construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find and an appropriate Native American representative, based on the nature of the find, is consulted. If the City determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with Native American groups. The plan would include avoidance of the resource or, if avoidance of the resource is infeasible, the plan would outline the appropriate treatment of the resource in coordination with the archeologist and the appropriate Native American tribal representative.</p>	<p>If cultural resources are identified during construction and the City determines, consistent with the requirements of this mitigation measure, that they are tribal cultural resources, verify preparation of and compliance with mitigation plan</p>	<p>If cultural resources are identified during construction</p>	<p>City of West Covina Planning Division</p>
Utilities and Service Systems			
U-1: Replacement of Existing Sewer Line			
<p>Before issuance of building permits, the City shall determine the applicant’s fair-share payment towards replacement of the existing 8-inch sewer line in West Cameron Avenue currently serving the project site. The applicant shall then make this payment, after which this improvement shall be carried out prior to issuance of building permits. The existing sewer line shall be replaced from manhole 103 to manhole 65 at which point it connects to the existing 12-inch sewer line in Orange Avenue.</p>	<p>Confirm written verification of compliance with this mitigation measure</p>	<p>Before issuance of building permits</p>	<p>City of West Covina Engineering Division</p>

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