

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	Responsibility/ 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, 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 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 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. 	<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, the City shall 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: Significant Trees			
<p>Significant trees that are removed due to the project shall be mitigated by one or more of the following measures:</p> <ul style="list-style-type: none"> Replacement with trees of a comparable species, size, and condition as determined by the Planning Director Relocation on or off site with submission of an arborist report describing the method and 	<p>Submittal of mitigation plans and approval by Planning Director</p>	<p>The City shall review and approve tree mitigation plans submitted by the applicant prior to issuance of grading permits. The City shall confirm that the</p>	<p>City of West Covina Planning Division</p>

Mitigation Measure/ Condition of Approval	Method of Verification	Responsibility/ Timing of Implementation	Enforcement Agency
<p>one-year survival guarantee</p> <ul style="list-style-type: none"> ▪ Payment of the proper restitution value of the tree(s), or donation of a boxed tree(s) to the City or other public agency to be used elsewhere in the community 		measures required by the tree mitigation plans have been carried out after the removal of trees and before issuance of building permits.	

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>Contract with qualified archaeologist; submittal of WEAP training materials and logs to the City prior to the start of construction.</p>	<p>The City shall confirm that the applicant has provided written evidence that a qualified archaeologist has been retained to provide WEAP training and that construction workers have been given the WEAP training prior to start of construction.</p>	<p>City of West Covina Planning Division</p>
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CR-2: Unanticipated Discovery of Archaeological Resources

<p>If archaeological resources are encountered during ground-disturbing activities, all work in the immediate vicinity shall be halted, and the City of West Covina Community Development Department shall be immediately informed of the discovery. The qualified archaeologist required under Mitigation Measure TCR-2 shall be retained by the project applicant to determine if the find is classified as a significant cultural resource pursuant to the CEQA definition of historical (CEQA Guidelines 15064.5[a]) and/or unique archaeological resources (PRC 21083.2[g]). If the resource is classified as a significant cultural resource, the qualified archaeologist shall make recommendations on the treatment and disposition of the finding. The final recommendations on the treatment and disposition of the finding shall be developed in accordance with all applicable provisions of the PRC Section 21083.2 and CEQA Guidelines Sections 15064.5 and 15126.4 and shall be reviewed by the City of West Covina Community Development Department prior to implementation. The final recommendations shall be implemented, and the City shall be provided with a final report on the treatment and disposition of the finding prior to issuance of a Certificate of Occupancy.</p>	<p>Written verification of compliance with procedures for treatment of discovered archaeological resources.</p>	<p>The City shall confirm that the applicant has provided written evidence that a qualified archaeologist has been retained and ensure that, if any archaeological resources are discovered, all applicable actions of this mitigation measure are carried out during ground-disturbing phases of construction.</p>	<p>City of West Covina Planning Division</p>
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Mitigation Measure/ Condition of Approval	Method of Verification	Responsibility/ 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 from the qualified paleontologist that the procedures for treatment of discovered paleontological resources have been carried out.</p>	<p>The City shall confirm that the applicant has provided written evidence that a qualified paleontologist has been retained and ensure that, if any paleontological resources are discovered, all applicable actions of this mitigation measure are carried out during ground-disturbing phases of construction.</p>	<p>City of West Covina Planning Division</p>
Hazards and Hazardous Materials			
HAZ-1: Suspect Asbestos-Containing Materials			
<p>Prior to the issuance of a demolition permit, the applicant shall obtain a letter from a qualified asbestos abatement consultant that no ACMs are present in the building. If ACMs are found to be present, the materials shall be abated in compliance with South Coast Air Quality Management District (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 ACMs removed from any on-site structure shall be hauled and disposed off-site by a transportation company certified to handle asbestos and hazardous materials.</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, the City shall confirm that the applicant has provided written proof that a qualified asbestos abatement consultant has been retained and that abatement (if required) has been completed.</p>	<p>City of West Covina Planning Division, SCAQMD</p>
Noise			
NOI-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) 	<p>Written and field verification of noise reduction measures.</p>	<p>The City shall review and approve a written description of noise reduction measures submitted by the applicant that shall be implemented prior to and during construction. The City shall then, once prior to and</p>	<p>City of West Covina Planning Division and City of West Covina Building Division</p>

Mitigation Measure/ Condition of Approval	Method of Verification	Responsibility/ Timing of Implementation	Enforcement Agency
<ul style="list-style-type: none"> 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 western and southern boundaries 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. 		then periodically during construction, confirm through field verification that these measures have been implemented.	
NOI-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 with line of sight to any area roadway 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. Both aforementioned STC rating standard requirements shall be incorporated into the plans to be submitted by the applicant to the City of West Covina for review and 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.</p>	Written verification of design measures and Acoustical Analysis.	The City shall confirm that the applicant has provided acoustical design measures for approval prior to issuance of building permits. The City shall review and approve written proof submitted by the applicant that an acoustical analysis was performed prior to the issuance of an occupancy permit to demonstrate that noise levels do not exceed the interior noise standard of 45 CNEL in any habitable room as set forth by the City.	City of West Covina Building Division
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"> The Project Driveway (North-South) at West Workman Avenue (East-West) shall provide one inbound lane and one outbound lane with northbound stop-control and the following lane configurations: 	Review and approval of final grading, landscaping, and street improvement plans by City.	The City shall review and approve plans submitted by the applicant that incorporate the recommendations and Conditions of Approval.	City of West Covina Traffic Engineer

Mitigation Measure/ Condition of Approval	Method of Verification	Responsibility/ Timing of Implementation	Enforcement Agency
<ul style="list-style-type: none"> ○ Northbound – One shared left/ right turn lane ○ Eastbound – One shared through/ right turn lane ○ Westbound – One shared left/ through lane ▪ The West Garvey Avenue North (North-South) at Project Driveway (East-West) shall 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 shared left/ through lane ○ Southbound – 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>			

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>Monitoring contract with qualified Native American monitor, monitoring logs.</p>	<p>The City shall confirm that the applicant has retained a qualified Native American Monitor prior to the commencement of construction, and that monitoring is conducted during ground-disturbing activities consistent with the requirements of this mitigation measure.</p>	<p>City of West Covina Planning Division</p>
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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 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</p>	<p>Monitoring contract with qualified archaeologist and Native American monitor. Written verification from Native American monitor and qualified archaeologist of</p>	<p>The City shall confirm that the applicant has retained a qualified archaeologist and Native American Monitor prior to the commencement of construction activities and that monitoring is conducted during</p>	<p>City of West Covina Planning Division</p>
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<p>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 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>compliance with procedures for treatment of discovered Tribal cultural resources.</p>	<p>ground disturbing activities consistent with the requirements of this mitigation measure.</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 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</p>	<p>Monitoring contract with qualified archaeologist and Native American monitor and written proof that the procedures listed in this mitigation measure have been implemented and complied with.</p>	<p>The City shall confirm that the applicant has retained a qualified archaeologist and Native American Monitor prior to the commencement of construction activities and that monitoring is conducted during ground disturbing activities consistent with the requirements of this mitigation measure.</p>	<p>City of West Covina Planning Division</p>

Mitigation Measure/ Condition of Approval	Method of Verification	Responsibility/ Timing of Implementation	Enforcement Agency
<p>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>			

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