

Appendix O: Draft Mitigation Monitoring Report

Appendices

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July 2019 | Mitigation Monitoring and Reporting Program
State Clearinghouse No. 2018121032

MERCURY LANE RESIDENTIAL

for City of Brea

Prepared for:

City of Brea

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Table of Contents

Section	Page
1. INTRODUCTION.....	1
1.1 PURPOSE OF MITIGATION MONITORING PROGRAM.....	1
1.2 PROJECT LOCATION	1
1.3 PROJECT DESCRIPTION.....	1
1.4 ENVIRONMENTAL IMPACTS.....	2
2. MITIGATION MONITORING REQUIREMENTS.....	5
2.1 CATEGORIZED MITIGATION MEASURES/MATRIX.....	5
3. REPORT PREPARATION	9
3.1 LIST OF PREPARERS.....	9

Table of Contents

List of Tables

Table		Page
Table 1	Mercury Lane Residential Land Use Statistics.....	2
Table 2	Mitigation Monitoring Requirements	7

1. Introduction

1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program (MMP) has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in the Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2018121032. The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and Insert City Monitoring Requirements. Section 21081.6 states:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
 - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
 - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

1.2 PROJECT LOCATION

The project site is within the City of Brea, at the southeast corner of Berry Street and Mercury Lane, and on a square-shaped parcel (Assessor's Parcel Number [APN] 296-141-05). The project site is vacant and undeveloped. The project site is approximately 1.01 acres and is situated within a commercial industrial area just west of downtown Brea. The project site is surrounded by light industrial land, and general industrial, and commercial office uses.

1.3 PROJECT DESCRIPTION

The proposed project involves the construction of workforce housing, thereby, increasing the number of housing units in the City of Brea. The proposed project would also include recreational amenities and landscaping for the proposed workforce housing.

1. Introduction

The proposed project would construct a five-story, 114-unit workforce housing development on a 1.01-acre parcel. The building would be an approximately 68-foot-tall, 141,137-square-foot podium structure, and would result in a density of 112.9 units per acre. The proposed project would include recreational amenities, such as barbeques and a bocce ball court, which would be on the third-floor podium in an outdoor courtyard. A summary of the units by type and square footage is provided in Table 1, *Mercury Lane Residential Land Use Statistics*.

Table 1 Mercury Lane Residential Land Use Statistics

Unit Name/Type	Unit Type	Square Feet/Unit	Number	Total Square Feet
FP-1	Studio	452	5 units	2,260
FP-2	Studio	458	79 units	36,182
FP-3	Studio	596	2 units	1,192
FP-4	1 Bedroom	651	15 units	9,765
FP-5	1 Bedroom	675	9 units	6,075
FP-6	2 Bedroom	1,111	4 units	4,444
Total			114 units	59,918
Common/Service Areas (hallways, etc.)				22,570
Amenities (Leasing, Clubhouse, Fitness)				5,083
Parking Structure (Parking, Storage, Bicycle Storage)			118 spaces	53,566
Total			114	141,137
Open Space (Courtyard, Sky Deck)				10,815
Landscaped Area				6,387

1.4 ENVIRONMENTAL IMPACTS

1.4.1 Impacts Considered No Impact or Less Than Significant

The EIR identified various thresholds from the CEQA Guidelines among a number of environmental categories that would not be significantly impacts by the proposed project in Chapter 5, *Environmental Analysis*, and Chapter 8, *Impacts Found Not to Be Significant*, and therefore, did not require mitigation. Impacts to the following environmental resources were found to be less than significant or no impact:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems
- Wildlife

1.4.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

The EIR concluded that the proposed project could result in one or more potentially significant impacts in the following topic areas:

- Cultural and Paleontological Resources
- Hazards and Hazardous Materials
- Tribal Cultural Resources

However, the EIR also found that these impacts would be reduced, avoided, or substantially lessened through the implementation of mitigation measures, which are listed in Table 2.

1.4.3 Unavoidable Significant Adverse Impacts

The following impact would remain significant and unavoidable after implementation of required mitigation, as identified in the EIR:

- Transportation (cumulative impacts to Caltrans intersections)

1. Introduction

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2. Mitigation Monitoring Requirements

2.1 CATEGORIZED MITIGATION MEASURES/MATRIX

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 2. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures.

2. Mitigation Monitoring Requirements

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2. Mitigation Monitoring Requirements

Table 2 Mitigation Monitoring Requirements

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
CULTURAL AND PALEONTOLOGICAL RESOURCES					
CUL-1	Prior to issuance of grading permits, a qualified archaeological monitor shall be identified to be on call during ground-disturbing activities. If archeological resources are discovered during excavation and/or construction activities, construction shall stop within 25 feet of the find, and the qualified archeologist shall be consulted to determine whether the resource requires further study. The archeologist shall make recommendations to the City of Brea to protect the discovered resources. Archeological resources recovered shall be provided to an accredited museum such as the John D. Cooper Center in Fullerton or any other local museum or repository willing and able to accept and house the resource to preserve for future scientific study.	Qualified Archaeologist	Prior to issuance of grading permits and during construction activities	City of Brea Planning Division	
CUL-2	Prior to construction, (1) a field survey for paleontological resources consisting of record search, survey, background context, and project-specific recommendations shall be conducted by a qualified paleontologist; or (2) a qualified paleontologist shall monitor all excavations below five feet. If unique paleontological resources are discovered during excavation and/or construction activities, construction shall stop within 25 feet of the find, and the qualified paleontologist shall be consulted to determine whether the resource requires further study. The paleontologist shall make recommendations to the City of Brea to protect the discovered resources. Any paleontological resources recovered shall be provided for curation at a local curation facility such as the Los Angeles County Natural History Museum, the John D. Cooper Center in Fullerton, or any other local museum or repository willing and able to accept and house the resource to preserve for future scientific study.	Qualified Paleontologist	Prior to construction or during construction activities	City of Brea Planning Division	
HAZARDS AND HAZARDOUS MATERIALS					
HAZ-1	Prior to construction activities onsite, a limited Phase II investigation shall be conducted to assess the surface soil of the project site for residual organochlorine and lead arsenate pesticides. The Phase II investigation shall be conducted in accordance with guidelines developed by the Department of Toxic Substances Control (DTSC) and Environmental Protection Agency (EPA) for site assessments. The	Project Applicant and the City's Independent Third-Party Reviewer	Prior to construction	City of Brea Planning Division	

2. Mitigation Monitoring Requirements

Table 2 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Phase II investigation shall estimate the potential threat to public health and the environment if concentrations of pesticides are encountered using methods outlined in DTSC's Preliminary Endangerment Assessment Guidance Manual and DTSC's Screening Level Human Health Risk Assessment guidance for implementing screening level risk analysis. The Phase II investigation shall be submitted to the City of Brea Community Development Department for review and approval by an independent third-party reviewer. If the Phase II testing reveals concentrations of organochlorine pesticides and lead arsenic above health-based screening levels for residential exposure, remediation of the site shall be required to address residual organochlorine and lead arsenate pesticides above health-based level of concern. Remediation may include excavation and disposal of impacted soil or capping elevated areas beneath paved areas. The Construction Contractor shall implement the recommendations outlined in the Phase II</p>				
TRIBAL CULTURAL RESOURCES				
<p>TCR-1 If the professional archaeologist implementing Mitigation Measure CUL-1 believes that a cultural resource encountered onsite is of Native American origin, the archaeologist shall notify representatives of Native American tribes with traditional territories in the project region. If requested by the Native American tribe(s), the developer or archaeologist on-call shall, in good faith, consult on the discovery and its disposition (e.g., avoidance, preservation, return of artifacts to tribe). If the resources are Native American in origin, a tribal monitor from the consulting tribe shall be present during the remaining site-grading activities.</p>	Tribal Monitor	During site-grading activities	City of Brea Planning Division; Project Developer	
<p>TCR-2 During construction activities, the project applicant shall allow archaeological monitors of Native American tribes to access the project site on a volunteer basis to monitor grading and excavation activities.</p>	Archaeological Monitors of Native American Tribes	During construction activities (grading and excavation activities)	Project Applicant	

3. Report Preparation

3. Report Preparation

3.1 LIST OF PREPARERS

City of Brea

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3. Report Preparation

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