

# Mitigation Monitoring and Reporting Program

## Introduction

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Mitigated Negative Declaration has been certified which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "...reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented for the Project. The City of Bradbury is the Lead Agency for the project and is responsible for implementation of the MMRP. This report describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

## Mitigation Monitoring and Reporting Program

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City for the Project. The table identifies mitigation measures required by the City to mitigate or avoid significant impacts associated with the implementation of the Project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plan, Program, Policies; and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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**TABLE 1: MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<b>BIOLOGICAL RESOURCES</b>			
<p>Mitigation Measure BIO-1: Tree preservation and planting plan. City Planning Department and shall review, and the Planning Commission shall approve a tree preservation and planting plan which replaces native oak trees and prominent trees in accordance with Municipal Code Section 9.118.040, as follows:</p> <ul style="list-style-type: none"> <li>• The City of Bradbury will replace all removed trees, final number to be determined (see Mitigation Measure BIO-5), at a 1:1 ratio with 15-gallon trees of the same species;</li> <li>• The Bradbury Estates will accommodate up to approximately 16 replacement trees;</li> <li>• The City of Bradbury and Bradbury Estates Homeowner’s Association will be responsible, in partnership, for the maintenance of the trees in perpetuity once planted;</li> <li>• The remaining replacement trees will be planted in the City of Duarte, at the Donald and Bernice Watson Recreation Trail, then to parks and medians, in that order of priority;</li> <li>• The City of Bradbury will purchase and deliver trees to the City of Duarte, in which the City of Duarte will plant within (4) weeks of receipt;</li> <li>• The City of Duarte will be responsible for the maintenance of the trees in perpetuity once planted.</li> </ul>	<p>City of Bradbury will purchase and deliver replacement trees in accordance with the findings by the qualified arborist during construction (see MM BIO-5) and as approved by Planning Commission prior to project closeout. Plans to be approved prior to tree permit; trees to be delivered prior to project closeout; replanting to be conducted within 4 weeks of delivery.</p>	<p>City of Bradbury Planning Department; Planning Commissioner; City of Bradbury and City of Duarte Landscaping/Public Works</p>	
<p>Mitigation Measure BIO-2 - Monitoring Plan. An ongoing maintenance and monitoring plan shall be approved and implemented by the City of Bradbury Planning Department for trees preserved onsite and for replacement trees, to ensure long-term tree health, and to minimize potential tree failure.</p> <ul style="list-style-type: none"> <li>• An International Society of Arboriculture (ISA) certified arborist shall monitor the replacement trees for a minimum of three years, to evaluate the growth, health and condition of the replacement trees. Strategic pruning compliant with ISA standards must be performed to subordinate non-primary, codominant stems, and canopy deadwood should be removed. Regular maintenance is recommended according to ISA standards.</li> <li>• Perform inspection after road improvement are completed to determine if preserved oaks have crowns impacted by changed grade or hydrology</li> </ul>	<p>An ongoing maintenance and monitoring plan shall be approved and implemented by the City of Bradbury Planning Department. Minimum of 3 years following construction.</p>	<p>City of Bradbury Planning Department/ International Society of Arboriculture (ISA) Certified Arborist</p>	

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<p>onsite. Given the degree of the resident trees' inherent lean to the south and their potential to fall towards the roadway, the post-installation inspection must be performed and shall include a workplan for bracing (as needed) to mitigate potential tree failure.</p> <ul style="list-style-type: none"> <li>The arborist shall also monitor preserved trees for a period of three years after construction to assure survival of remaining trees.</li> </ul>			
<p>Mitigation Measure BIO-3 - Tree Protection during Construction.</p> <p>Construction plans shall include a note to require tree protection measures during construction, as follows:</p> <ol style="list-style-type: none"> <li>Dripline fencing must be placed a minimum of 1 foot in radius from the tree per 1 inch of diameter at breast height (for example, 6-inch trunk = 6 feet protection radius/12 feet diameter).</li> <li>Dripline fencing must be erected so that it is visible and structurally sound enough to deter construction equipment, foot traffic, and the storing of equipment under tree canopies.</li> <li>Raising or lowering the grade in the root zone of trees can be fatal or ruin the health of trees for years to come. Grade change and soil compaction force out the oxygen and literally press the life out of the soil. A retaining wall can be used to minimize the amount of the root zone that is affected, but it is essential that the footing is not continuous. Gravel and aeration pipes should be placed inside the retaining wall before the fill is placed. Consult with a qualified civil engineer for proper design calculations.</li> <li>Trenching within the protection zone must be avoided wherever possible. Most of the roots are in the top 1 to 2 feet of soil, and trenching can sever a large percentage of roots.</li> <li>Oil from construction equipment, cement, concrete washout, acid washes, paint, and solvents are toxic to tree roots. Signs should be posted on the fencing around trees notifying contractors of the fines for dumping. Portable latrines that are washed out with strong detergents can damage the fine roots of the trees. Portable latrines should not be placed near trees, nor</li> </ol>	<p>Confirmation that construction plans contain the specific tree protection measures. Prior to grading permit.</p>	<p>City of Bradbury Planning Department</p>	

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<p>where frequent and regular foot traffic to them will compact the soil below the trees.</p> <p>6. Construction creates large amounts of dust, and the oaks and any other trees to be preserved will need to be kept clean. Dust reduces photosynthesis on all trees. Strict dust control measures must be implemented during construction to minimize this impact, and an occasional rinsing with a solution of water and insecticidal soap will help control pests.</p>			
<p>Mitigation Measure BIO-4 – Nesting Birds. The following measures shall be implemented to mitigate potential impacts on nesting birds:</p> <ul style="list-style-type: none"> <li>• Project ground disturbing and vegetation clearing activities should occur outside of the bird nesting season of February 1 through September 15;</li> <li>• If avoidance of ground disturbing and vegetation clearing activities cannot be implemented and these activities will occur during the bird nesting season, a qualified biologist shall conduct pre-construction nesting bird surveys during the nesting bird season within 3 days prior to vegetation removal and/or construction activities; and,</li> <li>• If active nests are found during nesting bird surveys, they will be flagged and a 500-foot buffer for raptors and a 250-foot buffer for migratory song birds, shall be installed around the nests. The buffers must remain in place until the young have fledged and the nest becomes unoccupied.</li> </ul>	<p>If ground-disturbing activity and/or vegetation clearing occurs during nesting bird season (February 1 through September 15), a qualified biologist shall conduct pre-construction nesting bird surveys. 3 days prior to vegetation removal and/or construction activities.</p>	<p>City of Bradbury Planning Department/ Qualified Biologist</p>	
<p>Mitigation Measure BIO-5 – Tree Monitoring during Construction. A qualified arborist with Tree Risk Assessment Qualification (TRAQ) credential, and field experience with evaluation, maintenance, and care of Coast Live Oak (<i>Quercus agrifolia</i>) trees, will be retained by the City and present during initial ground distributing activities and site preparation activities. The arborist will determine whether individual trees, or root systems, impacted during construction would necessitate removal of the tree based on the health, risk of failure, and other potential issues that could occur as a result of the project. The arborist may direct the installation of bracing and/or guying measures, corrective pruning, or other treatment for the protection in-place of trees (including root systems) impacted by the project. Trees originally considered for removal may be</p>		<p>City of Bradbury Planning Department/ Qualified Arborist with Tree Risk Assessment Qualification (TRAQ) Credential</p>	

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<p>preserved with corrective measures if determined that preservation would not result in risk to public safety. Trees identified as potentially impacted during preliminary tree surveys will be subject to removal or preservation at the discretion of the arborist monitor during construction. Trees identified for removal would be subject to mitigation under Mitigation Measure BIO-1.</p>			
<b>CULTURAL RESOURCES</b>			
<p>Mitigation Measure CUL-1: Inadvertent Discoveries. Prior to the issuance of any permits ground-disturbing activities that cause excavation of soils (including as grading, excavation, and trenching), the City of Bradbury shall ensure that all Project grading and construction plans and specifications shall state that in the event that potential archaeological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified archaeologist from the City or County List of Qualified Archaeologists has evaluated the find to determine whether the find constitutes a “unique archaeological resource,” as defined in Section 21083.2(g) of the California Public Resources Code. Any resources identified shall be treated in accordance with California Public Resources Code Section 21083.2(g). If the discovered resource(s) appears Native American in origin, the Native American Monitor shall evaluate any potential tribal cultural resource(s) and shall have the opportunity to consult on appropriate treatment and curation of these resources.</p>	<p>Confirmation that construction plans and specifications state that in the event of an inadvertent discovery, work within 50 feet shall cease and a qualified archaeologist shall evaluate the resource/a Native American Monitor shall evaluate any potential tribal cultural resource(s). Prior to grading permit.</p>	<p>City of Bradbury Planning Department/ Qualified Archaeologist from the City or County List of Qualified Archaeologists/ Native American Monitor</p>	
<b>GEOLOGICAL RESOURCES</b>			
<p>Mitigation Measure PAL-1: Paleontological Resources. Prior to issuance of a grading permit, the City of Bradbury shall verify that all Project grading and construction plans and specifications state that in the event that potential paleontological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified paleontologist (i.e., a practicing paleontologist that is recognized in the paleontological community and is proficient in vertebrate paleontology) from the City or County List of Qualified Paleontologists has evaluated the find in accordance with federal and state regulations. Construction personnel shall not collect or move any paleontological materials and associated materials. If</p>	<p>Verify grading and construction plans state that in the event that potential paleontological resources are discovered during excavation, work shall cease within 50 feet of the find until a qualified paleontologist</p>	<p>City of Bradbury Planning Department/ Qualified Paleontologist from the City or County List of Qualified Paleontologists</p>	

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<p>any fossil remains are discovered, the paleontologist shall make a recommendation if monitoring shall be required for the continuance of earth moving activities.</p>	<p>has evaluated the find. Prior to grading permit.</p>		
<b>TRIBAL</b>			
<p>TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities</p> <p>A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.</p> <p>B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.</p> <p>C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.</p> <p>D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the</p>	<p>Retain a Native American Monitor and document retainment. Prior to ground-disturbing activity.</p>	<p>City of Bradbury Planning Department</p>	

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<p>project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.</p> <p>E. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.</p>			
<p>TCR-2: Unanticipated Discovery of Human Remains and Associated Funerary Objects</p> <p>A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.</p> <p>B. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.</p>	<p>Stop disturbance activities within project vicinity and notify County Coroner immediately upon discovery of identified human or funerary remains. During construction.</p>	<p>City of Bradbury Planning Department; County Coroner.</p>	



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<p>C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).</p> <p>D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)</p> <p>E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) 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, it shall be offered to a local school or historical society in the area for educational purposes.</p> <p>F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.</p>			
<p>TCR-3: Procedures for Burials and Funerary Remains:</p> <p>A. As the Most Likely Descendant (“MLD”), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, 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 preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.</p> <p>B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.</p> <p>C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects</p>	<p>Conduct burial and/or treatment of human remains and funerary objects in accordance with the Koo-nas-gna Burial Policy. During construction.</p>	<p>City of Bradbury Planning Department</p>	

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<p>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. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.</p> <p>D. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.</p> <p>E. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.</p> <p>F. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p> <p>G. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery and data recovery-related forms of documentation shall be</p>			

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<p>approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.</p>			

PPP	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<b>AIR QUALITY</b>			
PPP AQ-1: Rule 402. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The Project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.	Compliance with Rule 402. During construction.	City of Bradbury Planning Department	
PPP AQ-2: Rule 403. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following: <ul style="list-style-type: none"> <li>• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.</li> <li>• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day.</li> <li>• The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less.</li> </ul>	Compliance with Rule 403. During construction.	City of Bradbury Planning Department	
PPP AQ-3: Rule 1113. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only “Low-Volatile Organic Compounds” paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.	Compliance with Rule 1113. During construction.	City of Bradbury Planning Department	
<b>CULTURAL RESOURCES</b>			
PPP CUL-1: Human Remains. Should human remains be discovered during Project construction, the Project will be required to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance may occur in the vicinity of the body until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code	Stop disturbance activities within project vicinity and notify County Coroner immediately upon discovery of identified	City of Bradbury Planning Department; County Coroner.	

<p>Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine the identity of and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD must complete the inspection within 48 hours of notification by the NAHC. See MM CUL-1 for Inadvertent Discovery procedure.</p>	<p>human or funerary remains. During construction.</p>		
<p><b>ENERGY</b></p>			
<p>PPP ENG-1: CalGreen Compliance. The Project is required to comply with the CalGreen Building Code as included in the City’s Municipal Code (Chapter 150.001) to ensure efficient use of energy. CalGreen specifications are required to be incorporated into building plans as a condition of building permit approval.</p>	<p>Ensure project complies with CalGreen Building Code as included in the City’s Municipal Code (Chapter 150.001). Prior to building permit.</p>	<p>City of Bradbury Planning Department</p>	
<p><b>WATER QUALITY</b></p>			
<p>PPP WQ-1: SWPPP. Prior to grading permit issuance, the project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a QSD (Qualified SWPPP Developer) in accordance with the City’s Municipal Code Section 9.109.050. The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other NPDES regulations to limit the potential of erosion and polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by City staff or its designee to confirm compliance.</p>	<p>Review and approval of SWPPP. Prior to grading permit.</p>	<p>City of Bradbury Planning Department</p>	
<p><b>HAZARDOUS MATERIALS</b></p>			
<p>PPP HAZ-1: The City of Bradbury will coordinate with emergency service providers within the City of Bradbury and the City of Monrovia regarding planned roadway closures and possible detour routes. The duration of full roadways closures would be minimized to the maximum extent feasible.</p>	<p>Coordinate with emergency service providers (Bradbury and Monrovia) regarding traffic detours. Prior to and during construction.</p>	<p>City of Bradbury Planning Department</p>	
<p><b>NOISE</b></p>			

<p>PPP NOI-1: Construction Hours. Per City of Monrovia Municipal Code Section 9.44.080, construction or demolition work will be conducted between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and the hours of 9:00 a.m. and 6:00 p.m. on weekends and holidays. Per the City of Bradbury Municipal Code Section 9.44.040, construction or demolition work will be conducted between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and the hours of 9:00 a.m. and 7:00 p.m. on weekends, excluding holidays. Dependent on the day, the more prudent noise restriction shall be applied.</p>	<p>Apply the more prudent noise standard, City of Bradbury or City of Monrovia, depending on the day. During construction.</p>	<p>City of Bradbury Planning Department</p>	
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