

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. The City of Rosemead 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
BIOLOGICAL RESOURCES			
<p>MM BIO-1: Migratory Bird Treaty Act. Prior to commencement of grading activities, the City Building Department, shall verify that in the event that vegetation and tree removal activities occur within the active breeding season for birds (February 1–September 15), the Project applicant (or their Construction Contractor) shall retain a qualified biologist (meaning a professional biologist that is familiar with local birds and their nesting behaviors) to conduct a nesting bird survey no more than 3 days prior to commencement of construction activities.</p> <p>The nesting survey shall include the Project site and areas immediately adjacent to the site that could potentially be affected by Project-related construction activities, such as noise, human activity, and dust, etc. If active nesting of birds is observed within 100 feet of the designated construction area prior to construction, the qualified biologist shall establish an appropriate buffer around the active nests (e.g., as much as 500 feet for raptors and 300 feet for non-raptors [subject to the recommendations of the qualified biologist]), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.</p>	<p>Submittal of pre-activity field survey results report. Prior to construction.</p>	<p>City of Rosemead Community Development Department</p>	
CULTURAL RESOURCES			
<p>MM CUL-1: Archaeological Monitoring. The Applicant shall retain a qualified archaeologist to perform archaeological monitoring and the archaeologist shall be present during initial ground-disturbing activities (e.g., site preparation and grading) to identify and assess any known or suspected archaeological and/or cultural resource. The qualified archaeologist shall develop a Cultural Resources Management Plan to address the details, timing, and responsibility of all archaeological and cultural resource activities that occur on the Project site. The plan shall include a scope of work, project grading and development scheduling, pre-construction meeting (with consultants, contractors, and monitors), a monitoring schedule during all initial ground-disturbance related activities, safety requirements, and protocols to follow in the event of previously unknown cultural resources discoveries that could be subject to a cultural resources evaluation. The plan shall be submitted to the City and the Consulting Tribe(s) for review and</p>	<p>Confirmation of professional archaeologist retention/ongoing/monitoring/submittal of Report of Findings. Prior to Grading Permit and during subsurface excavation.</p>	<p>City of Rosemead Community Development Department</p>	

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
comment, prior to final approval by the City.			
<p>MM TCR-1: Native American Monitoring. Prior to the commencement of any ground disturbing activity at the Project site, the Project applicant shall retain a Native American Monitor approved by the Gabrieleño Band of Mission Indians-Kizh Nation. A copy of the executed contract shall be submitted to the City of Rosemead Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor shall only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the Project area. The Tribal Monitor shall complete daily monitoring logs that shall provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project site have little to no potential to impact Tribal Cultural Resources.</p> <p>Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by Project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe shall retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue on other parts of the Project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a</p>	<p>Submit a CRMP prepared by Professional Archaeologist in consultation with Tribe. Prior to Grading Permit.</p>	<p>Qualified Professional Archeologist/ City of Rosemead Community Development Department</p>	

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>"historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. 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, it shall be offered to a local school or historical society in the area for educational purposes.</p>			
PALEONTOLOGICAL			
<p>MM PAL-1: Incidental Discoveries. Prior to issuance of a grading permit, the City of Rosemead Planning Department 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 and established a protocol for addressing the find, in accordance with federal and state regulations. Construction personnel shall not collect or move any paleontological materials and associated materials. If any fossil remains are discovered, the paleontologist shall make a recommendation if monitoring shall be required for the continuance of earth moving activities, and shall provide such monitoring if required.</p>	<p>Submittal of a Paleontological Resource Impact Mitigation Plan. Prior to Grading Permit.</p>	<p>City of Rosemead Community Development Department</p>	

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
NOISE			
<p>Mitigation Measure NOI-1: Construction Vibration. Project plans and specifications shall include the requirement that that operation of any heavy equipment shall be prohibited within 15 feet of existing residences to the north and east. If heavy equipment is necessary within 15 feet of existing structures, the following measures shall be implemented.</p> <ul style="list-style-type: none"> • Identify structures that could be affected by ground-borne vibration and would be located within 15 feet of where heavy construction equipment would be used. This task shall be conducted by a qualified structural engineer as approved by the City’s Director of Community Development or designee. • Develop a vibration monitoring and construction contingency plan for approval by the City’s Director of Community Development, or designee, to identify structures where monitoring would be conducted; set up a vibration monitoring schedule; define structure-specific vibration limits; and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies such as alternative methods or equipment that would generate lower vibration levels would be identified for when vibration levels approached the limits. • At a minimum, monitor vibration during initial demolition activities. Monitoring results may indicate the need for more intensive measurements if vibration levels approach the 0.2 PPV (in/sec) threshold. • When vibration levels approach the 0.2 PPV (in/sec) limit, suspend construction and implement contingencies identified in the approved vibration monitoring and construction contingency plan to either lower vibration levels or secure the affected structures. 	<p>Notes on grading plans. Prior to grading permit.</p>	<p>City of Rosemead Community Development Department</p>	

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
TRIBAL			
MM CUL-1: Archaeological Monitoring. See Cultural Mitigation above	Confirmation of professional archaeologist retention/ongoing/monitoring/submittal of Report of Findings. Prior to Grading Permit and during subsurface excavation.	City of Rosemead Community Development Department	
MM TCR-1: Native American Monitoring. See Cultural Mitigation above	Submit a CRMP prepared by Professional Archaeologist in consultation with Tribe. Prior to Grading Permit.	Qualified Professional Archeologist/ City of Rosemead Community Development Department	

PPP	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
AESTHETICS			
<p>PPP AES-1: Light and Glare. Pursuant to Municipal Code Chapter 17.88, exterior lighting shall be of low intensity and shielded so that light will not spill out onto surrounding properties or Project above the horizontal plane.</p>	<p>Compliance with Municipal Code Chapter 17.88</p>	<p>City of Rosemead Community Development Department</p>	
AIR QUALITY			
<p>PPP AQ-1: Rule 402. The construction plans and specifications shall state that 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.</p>	<p>Compliance with Rule 402. Construction.</p>	<p>City of Rosemead Community Development Department</p>	
<p>PPP AQ-2: Rule 403. The construction plans and specifications shall state that the Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:</p> <ul style="list-style-type: none"> • 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. • 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. • The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less. 	<p>Compliance with Rule 402. Construction.</p>	<p>City of Rosemead Community Development Department</p>	
<p>PPP AQ-3: Rule 1113. The construction plans and specifications shall state that 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.</p>	<p>Compliance with Rule 1113. Construction.</p>	<p>City of Rosemead Community Development Department</p>	

CULTURAL RESOURCES			
<p>PPP CUL-1: Should human remains be discovered during Project construction, the Project would 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 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.</p>	<p>Cease all ground disturbing activity and contact NAHC within 24 Hours per PRC 5097.98 if remains are potentially Native American. In the case of an inadvertent discovery of human remains.</p>	<p>City of Rosemead Community Development Department</p>	
ENERGY			
<p>PPP E-1: California Energy Code Compliance. The Project is required to comply with the 2019 California Energy Code as included in the City's Municipal Code (Chapter 12.24) to ensure efficient use of energy. California Energy Code specifications are required to be incorporated into building plans as a condition of building permit approval.</p>	<p>Compliance with 2019 California Energy Code as included in the City's Municipal Code (Chapter 12.24).</p>	<p>City of Rosemead Community Development Department</p>	
GEOLOGY			
<p>PPP GEO-1: California Building Code. The Project is required to comply with the California Building Code as included in the City's Municipal Code Chapter 15.04 to preclude significant adverse effects associated with seismic hazards. California Building Code related and geologist and/or civil engineer specifications for the Project are required to be incorporated into grading plans and specifications as a condition of Project approval.</p>	<p>Comply with California Building Code. Prior to Grading Permit.</p>	<p>City of Rosemead Community Development Department</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 Chapter 13.16 Stormwater Management and Discharge Control and the Los Angeles County RWQCB NPDES Storm Water Permit Order No. R4-2012- 0175. 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</p>	<p>Review and approval of SWPPP. Prior to Grading Permit.</p>	<p>City of Rosemead Community Development Department</p>	

<p>compliance with the SWPPP and permit periodic inspection of the construction site by City of Rosemead staff or its designee to confirm compliance.</p>			
<p>WATER QUALITY</p>			
<p>PPP WQ-1: Stormwater Pollution Prevention Plan. Prior to grading permit issuance, the Project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a Qualified SWPPP Developer (QSD) in accordance with the City’s Municipal Code Chapter 13.16 and the Los Angeles Regional Water Quality Control Board National Pollution Discharge Elimination System (NPDES) Storm Water Permit Order No. R4-2012-0175 (MS4 Permit). 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 the City of Rosemead staff to confirm compliance.</p>	<p>Provide a SWPPP in accordance with Municipal Code Chapter. Prior to Grading.</p>	<p>City of Rosemead Community Development Department</p>	
<p>PPP WQ-2: Water Quality Management Plan. Prior to grading permit issuance, the Project applicant shall have a Water Quality Management Plan (WQMP) approved by the City for implementation. The Project shall comply with the City’s Municipal Chapter 13.16 and the Municipal Separate Storm Sewer System (MS4) permit requirements in effect for the Regional Water Quality Control Board (RWQCB) at the time of grading permit to control discharges of sediments and other pollutants during operations of the Project.</p>	<p>Provide a WQMP in accordance with Municipal Code Chapter 13.16. Prior to Grading.</p>	<p>City of Rosemead Community Development Department</p>	
<p>NOISE</p>			
<p>PPP NOI-1: Construction Hours. Per Municipal Code Chapter 8.36, construction and demolition activities may only occur between the hours of 7:00 a.m. and 8:00 p.m. on weekdays, including Saturday. Construction activities should not take place at any time on Sunday or a federal holiday. No person shall operate or allow the operation of any tools or equipment used in construction, drilling, repair, or alteration or demolition work outside of these hours to prevent noise disturbances.</p>	<p>Compliance with Municipal Code Chapter 8.36. Construction.</p>	<p>City of Rosemead Community Development Department</p>	
<p>PPP NOI-2: Best Construction Practices. In addition to compliance with the City’s Municipal Code allowed hours of construction of 7:00 a.m. to 8:00 p.m., Monday through Saturday, excluding Sunday and holidays, the following recommendations would reduce construction noise to the extent feasible:</p>		<p>City of Rosemead Community Development Department</p>	

<ul style="list-style-type: none"> • The Project construction contractor should equip all construction equipment, fixed or mobile, with properly operating and maintained noise mufflers, consistent with manufacturer’s standards. • The Project construction contractor should locate staging areas away from off-site sensitive uses during the later phases of Project development. • The Project construction contractor should place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the Project site whenever feasible. 			
PUBLIC SERVICES			
<p>PPP PS-1: School Fees. Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall provide payment of the appropriate fees set forth by the applicable school districts related to the funding of school facilities pursuant to Government Code Section 65995 et seq.</p>	<p>Pay school fees per Government Code Section 65995 et seq.</p>	<p>City of Rosemead Community Development Department</p>	
TRIBAL RESOURCES			
<p>PPP CUL-1: Human Remains. Listed previously in Section 5, Cultural Resources.</p>	<p>Cease all ground disturbing activity and contact NAHC within 24 Hours per PRC 5097.98 if remains are potentially Native American. In the case of an inadvertent discovery of human remains.</p>	<p>City of Rosemead Community Development Department</p>	
UTILITIES			
<p>PPP UT-1: Solid Waste. As required by Municipal Code Chapter 8.32, Section 8.32.010 of the 2016 California Green Building Standards Code, and AB 341 the Project shall implement a Waste Management Plan to ensure that the construction and operational diversion requirements would be met.</p>	<p>Comply with CalGreen standards. Prior to Final Inspection.</p>	<p>City of Rosemead Community Development Department</p>	