

SECTION 4 - CONCLUSIONS

4.1 FINDINGS

The Initial Study determined that the proposed project is not expected to have any significant adverse environmental impacts. Pursuant to Section 21081(a) of the Public Resources Code, findings must be adopted by the decision-maker coincidental to the approval of a Mitigated Negative Declaration, which relates to the Mitigation Monitoring Program. These findings shall be incorporated as part of the decision-maker's findings of fact, in response to AB-3180 and in compliance with the requirements of the Public Resources Code. In accordance with the requirements of Section 21081(a) and 21081.6 of the Public Resources Code, the City of Santa Fe Springs can make the following findings:

- A mitigation reporting or monitoring program will be required; and,
- An accountable enforcement agency or monitoring agency shall be identified for the mitigation measures adopted as part of the decision-maker's final determination.

Several mitigation measures have been recommended as a means to reduce or eliminate potential adverse environmental impacts to insignificant levels. AB-3180 requires that a monitoring and reporting program be adopted for the recommended mitigation measures.

4.2 MITIGATION MEASURES

The following mitigation is required due to the potential for disturbance of aesthetic resources:

Because light sensitive receptors are found in the vicinity of the project site, the following mitigation is required in order to minimize the potential impacts to the greatest extent possible:

Mitigation Measure No. 1 (Aesthetic Impacts). The contractors must ensure that appropriate light shielding is provided for the lighting equipment in the parking area, buildings, and security to limit glare and light trespass. An interior parking and street lighting plan and an exterior photometric plan indicating the location, size, and type of existing and proposed lighting shall also be prepared by the Applicant and submitted to the Planning Department for review and approval. As part of the building permit process as required by the City's Municipal Code. The proposed use must comply with Section 155.432 of the Santa Fe Springs Municipal Code.

The following applicable SCAQMD rules and regulations for the control of fugitive dust and architectural coating emissions will be adhered to during the construction and demolition phases:

Standard Regulation No. 2 (Air Quality). Excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures using the applicable procedures outlined in the SCAQMD's Rules and Regulations.

Standard Regulation No. No. 3 (Air Quality). Ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and in proper tune.

Standard Regulation No. 4 (Air Quality). All trucks associated with construction activities shall comply

with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.

Standard Regulation No. 5 (Air Quality). The project shall comply with SCAQMD Rule 402 that limits the generation of airborne pollutants that would cause injury, detriment, or result in a nuisance.

Demolition and construction activities could adversely impact nesting birds in these street trees in the absence of mitigation. These birds common bird species are protected by the federal Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code Sections 3503.5, 3511, and 3515 during the avian nesting and breeding season which occurs between February 1 and September 15. The provisions of the MBTA prohibit disturbing or destroying active nests. Therefore, the following mitigation measure has been included:

Mitigation Measure No. 6 (Biological Resources). Prior to the commencement of demolition and construction activities, the City Planning Department shall verify that the Applicant has retained a qualified biologist (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 the commencement of demolition/construction activities. The active breeding season for birds is February 1–September 15. The survey will evaluate 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 recommendation 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.

In the unlikely event that human remains are uncovered by construction crews, the following mitigation will be applicable:

Mitigation Measure No. 7. (Cultural Resources) In the event that human remains are discovered during grading or excavation, all excavation and grading activities shall be stopped and the Santa Fe Springs Department of Police Services will be contacted (the Department will then contact the County Coroner). Title 14; Chapter 3; Article 5; Section 15064.5 of CEQA and California Health and Safety Code Section 7050.5(b) will apply in terms of the identification of significant archaeological resources and their salvage.

The Phase I and Phase II studies did not identify any HRECs during the course of this assessment. An environmental issue refers to environmental concerns identified by Partner, which do not qualify as RECs; however, warrant further discussion.

Mitigation Measure No. 8 (Hazardous Materials). Due to the age of the subject property building, there is a potential that asbestos-containing material (ACM) and/or lead-based paint (LBP) are present. Readily visible suspect ACMs and painted surfaces were observed in good condition. Should these materials be replaced or disturbed, the identified suspect ACMs would need to be sampled to confirm the presence or absence of asbestos prior to any renovation or demolition activities to prevent potential exposure to workers and/or building occupants.

Mitigation Measure No. 9 (Hazardous Materials). All future uses of the property shall comply with the current land use covenant in place.

Mitigation Measure No. 10 (Hazardous Materials). An Operations and Maintenance (O&M) Program should be implemented in order to safely manage the suspect ACMs and LBP located at the subject property.

The analysis of tribal cultural resources indicated that no significant impacts would result with the implementation of the following mitigation measure:

Mitigation Measure No.11 (Tribal/Cultural Resources). The project Applicant will be required to obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined by the Tribal Representatives from the Gabrieleño-Tongva Nation as activities that include, but are not limited to, pavement removal, pot- holing or auguring, boring, grading, excavation, and trenching, within the project area. The monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground-disturbing activities.