

Mitigation Monitoring and Reporting Program

California Public Resources Code, Section 21081.6, requires that, upon certification of an Environmental Impact Report, “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.”¹

This Mitigation Monitoring and Reporting Program has been developed in compliance with Section 21081.6 of the California Public Resources Code and Section 15097 of the California Environmental Quality Act Guidelines,² and includes the following information:

- A list of mitigation measures
- The timing for implementation of the mitigation measures
- The party responsible for implementing or monitoring the mitigation measures
- The date of completion of monitoring

The City of Sierra Madre must adopt this Mitigation Monitoring and Reporting Program, or an equally effective program, if it approves the proposed Meadows at Bailey Canyon Specific (project) with the mitigation measures that were adopted or made conditions of project approval.

¹ California Public Resources Code, Sections 21000–21189. California Environmental Quality Act (CEQA), as amended.

² 14 CCR 15000–15387 and Appendices A–N. Guidelines for Implementation of the California Environmental Quality Act, as amended.

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation and Monitoring	Date of Completion
<i>Air Quality</i>			
<p>MM-AQ-1 Prior to the City’s issuance of the demolition and grading permits for the Project, the Applicant shall demonstrate to the satisfaction of the Planning Division that its construction contractor will use a construction fleet wherein all 50 horsepower or greater diesel-powered equipment is powered with California Air Resources Board (CARB)-certified Tier 4 Interim engines or equipment outfitted with CARB verified diesel particulate filters.</p> <p>An exemption from this requirement may be granted if: (1) the Applicant documents equipment with Tier 4 Interim engines are not reasonably available, and (2) functionally equivalent diesel PM emission totals can be achieved for the project from other combinations of construction equipment (Tier 3 with level 3 diesel particulate filter, electric, compressed natural gas, hydrogen, etc.). For example, if a Tier 4 Interim piece of equipment is not reasonably available at the time of construction and a lower tier equipment is used instead (e.g., Tier 3), another piece of equipment could be upgraded to a Tier 4 Final or replaced with an alternative-fueled (not diesel-fueled) equipment to offset the emissions associated with using a piece of equipment that does not meet Tier 4 Interim standards. Before an exemption may be granted, the Applicant’s construction contractor shall: (1) demonstrate that at least two construction fleet owners/operators in Los Angeles County were contacted and that those owners/operators confirmed Tier 4 Interim equipment could not be located within Los Angeles County during the desired construction schedule; and (2) the proposed replacement equipment has been evaluated using the California Emissions Estimator Model (CalEEMod) or other industry standard emission estimation method, and documentation provided to the Planning Division confirms that necessary project-generated functional equivalencies in the diesel PM emissions level are achieved.</p>	<p>Prior to issuance of demolition and grading permits</p>	<p>City of Sierra Madre Planning Division</p>	

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Biological Resources			
<p>MM-BIO-1 Nesting Bird Avoidance. Initiation of construction activities (i.e., initial vegetation clearing) should avoid the migratory bird nesting season (January 1 through September 15), to reduce any potential significant impact to birds that may be nesting on the project site. If construction activities must be initiated during the migratory bird-nesting season, an avian nesting survey of the project site and contiguous habitat within 500 feet of all impact areas must be conducted for protected migratory birds and active nests. The avian nesting survey shall be performed by a qualified wildlife biologist within 72 hours prior to the start of construction in accordance with the Migratory Bird Treaty Act and California Fish and Game Code.</p> <p>If an active bird nest is found, the nest shall be flagged and mapped on the construction plans along with an appropriate no disturbance buffer, which shall be determined by the biologist based on the species' sensitivity to disturbance (typically 50 feet for common, urban-adapted species, 300 feet for other passerine species, and 500 feet for raptors and special-status species). The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing. A qualified biologist (with the ability to stop work) shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur.</p>	Prior to and during construction	City of Sierra Madre Planning Division; qualified biologist	
<p>MM-BIO-2 Invasive Species. The use of invasive plant species listed in the California Invasive Plant Council's Inventory as having a rating of Limited, Moderate, or High shall not be allowed for landscaping purposes.</p>	During construction and operations	City of Sierra Madre Planning Division	

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<p>MM-BIO-3 Protected Tree Replacement. The City’s Tree Preservation and Protection Ordinance (Chapter 12.20) identifies tree replacement requirements for tree removal associated with a development project. In total, ten protected trees may be removed. As such, they shall be replaced at a minimum with a 24-inch box tree, on a 1:1 basis with a like species. The specific location of individual mitigation tree plantings on site would be addressed in the mitigation planting plan or landscape design plan prepared for the site.</p> <p>In addition, all mitigation tree plantings shall be subject to a 5-year monitoring effort by an independent third-party certified arborist. The monitoring effort shall consider growth, health, and condition of the subject trees to evaluate success. The monitoring effort may result in a recommendation of remedial actions, such as replacing trees that are not thriving, should any of the tree plantings exhibit poor or declining health. In addition, because the project will have direct impacts to trees, an arborist would be required to be present on-site during the proposed widening of Carter Avenue, per the City’s Tree Preservation and Protection Ordinance.</p>	<p>During and through five years post construction</p>	<p>City of Sierra Madre Planning Division</p>	
Cultural Resources			
<p>MM-CUL-1 Workers Environmental Awareness Program. All construction personnel and monitors who are not trained archaeologists shall be briefed regarding unanticipated discoveries prior to the start of ground disturbing activities. A basic presentation shall be prepared and presented by a qualified archaeologist, in coordination with the Gabrieleño Band of Mission Indians-Kizh Nation, to inform all personnel working on the project about the archaeological sensitivity of the area. The purpose of the WEAP training is to provide specific details on the kinds of archaeological materials that may be identified during construction of the project and explain the importance of and legal basis for the protection of significant archaeological resources.</p>	<p>Prior to construction</p>	<p>City of Sierra Madre Planning Division; qualified archaeologist</p>	

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<p>Each worker shall also be instructed on the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground-disturbing activities. These procedures include work curtailment or redirection, and the immediate contact of the on-call archaeologist and if appropriate, Tribal representative. Necessity of training attendance should be stated on all project site plans intended for use by those conducting the ground disturbing activities.</p>			
<p>MM-CUL-2 On-Call Archaeological Construction Monitoring. A qualified archaeologist shall be retained and on-call to respond and address any inadvertent discoveries identified during ground disturbing activities. A qualified archaeological principal investigator, meeting the Secretary of the Interior’s Professional Qualification Standards, shall oversee and adjust all monitoring efforts as needed (increase, decrease, or discontinue monitoring frequency) based on the observed potential for construction activities to encounter cultural deposits or material as well as determine, for purposes of Native American monitoring, when initial ground disturbing activities are complete. The archaeological monitor shall be responsible for maintaining daily monitoring logs for those days monitoring is required. If monitoring is ultimately required, an archaeological monitoring report shall be prepared within 60 days following completion of ground disturbance. This report shall document compliance with approved mitigation and all monitoring efforts as well as include an appendix with copies of all daily monitoring logs. The final report shall be submitted to the South Central Coastal Information Center (SCCIC).</p>	<p>Prior to the issuance of grading permits (retention of qualified archaeologist) and during construction (monitoring)</p>	<p>City of Sierra Madre Planning Division; qualified archaeologist</p>	
<p>MM-CUL-3 Unanticipated Discovery of Archaeological Resources. In the event that potential archaeological resources (sites, features, or artifacts) are exposed during construction activities involving ground disturbance for the proposed project, all construction work occurring within 50feet of the find shall immediately stop until a qualified archaeologist can evaluate the</p>	<p>During construction</p>	<p>City of Sierra Madre Planning Division; Project’s qualified archaeologist</p>	

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<p>significance of the find and determine whether additional study is warranted. This avoidance buffer may be adjusted following inspection of this area by the qualified archaeologist. Depending upon the significance of the find under CEQA (14 CCR 15064.5[f]; PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.</p>			
<p>MM-CUL-4 Unanticipated Discovery of Human Remains. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the county coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains, <u>and no less than 100 feet from are of discovery</u>, shall occur until the county coroner has determined, within 2 working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the county coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete his/her inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.</p>	<p>During construction</p>	<p>City of Sierra Madre Planning Division; County Coroner; NAHC; designated Native American representative</p>	
<p>Geology and Soils</p>			
<p>MM-GEO-1 Removal and Recompaction of Artificial Soil. Prior to the commencement of any construction activity on site, the project contractor shall remove and recompact all artificial soil present within the limits of proposed grading, as deep as 18 feet bgs.</p>	<p>Prior to construction</p>	<p>City of Sierra Madre Planning Division; Project contractor</p>	

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<p>MM-GEO-2 Paleontological Monitoring and Resource Treatment. Prior to the commencement of any grading activity on site, the project applicant shall retain a Qualified Paleontologist meeting the Society of Vertebrate Paleontology (SVP) standards and guidelines, subject to the review and approval of the City of Sierra Madre’s Planning Department. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project. The PRIMP shall be consistent with the guidelines of the SVP. The Qualified Paleontologist shall attend the pre-construction meeting and their representative, the Qualified Monitor, shall be on site during all rough grading and other significant ground-disturbing activities at depths greater than 5 feet below the ground surface. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the Qualified Monitor shall temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery shall be roped off with a 50-foot-radius buffer. Once documentation and collection of the find is completed, the Qualified Monitor shall remove the rope and allow grading to recommence in the area of the find.</p>	<p>Prior to the issuance of grading permits (retention of Qualified Paleontologist and preparation of PRIMP) and during construction (monitoring)</p>	<p>City of Sierra Madre Planning Division; Project’s qualified paleontologist</p>	
Noise			
<p>MM-NOI-1 The City of Sierra Madre (City) and/or its Construction Contractor shall implement the following noise reduction measures during all construction activities:</p> <ul style="list-style-type: none"> • A temporary noise barrier shall be constructed along the project site’s southern, and western boundaries. The construction noise barrier shall be a minimum of 8 feet in height. The barrier may be constructed of 3/4-inch Medium Density Overlay (MDO) plywood sheeting, or other material of equivalent utility having a surface weight of 2 pounds per square foot or greater. Alternatively, prefabricated acoustic barriers are available from various vendors. When barrier units are joined together, the mating surfaces of the barrier sides should be flush or overlap with one another. Gaps 	<p>During construction</p>	<p>City of Sierra Madre Planning Division; Construction contractor</p>	

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<p>between barrier units, and between the bottom edge of the barrier panels and the ground, should be closed with material that will completely fill the gaps, and be dense enough to attenuate noise.</p> <ul style="list-style-type: none"> • Construction noise reduction methods such as shutting off idling equipment; installing temporary acoustic barriers around stationary construction noise sources; and, where feasible, use of electric air compressors and similar power tools, rather than diesel equipment, shall be employed. • Equip all construction equipment (fixed or mobile) with properly operating and maintained mufflers, consistent with or exceeding manufacturers' standards. • Ensure that construction equipment engine enclosures and covers as provided by manufacturers shall be in place during operation. • Place all stationary construction equipment so that the equipment is as far as feasible from noise-sensitive receptors and so that the emitted noise is directed away from the noise-sensitive receptors. • Locate equipment and materials staging in areas that will create the greatest distance between staging area noise sources and noise-sensitive receptors during project construction. • Ensure that construction equipment is shut down when not in use. • Limit haul truck deliveries to the same hours specified for the operation of construction equipment. 			
<p>MM-NOI-2 In order to ensure that the project's HVAC systems do not result in an exceedance of applicable noise standards (i.e., an increase of more than 6 dBA in the City of Sierra Madre, the HVAC system for each residence shall have a maximum noise level specification not to exceed 72 dBA sound power level (equivalent to a sound pressure level of 47 dBA at a measured distance of 25 feet [7.6 meters]) over a reflecting plane.</p>	<p>Prior to issuance of certificates of occupancy</p>	<p>City of Sierra Madre Planning Division; Project Applicant</p>	

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<i>Tribal Cultural Resources</i>			
<p>MM-TCR-1 Native American Monitoring. Prior to the commencement of any ground disturbing activity at the Project site, with a minimum of 30 days advance written notice, the project applicant shall retain a Native American Monitor approved by the Gabrieleño Band of Mission Indians-Kizh Nation (Consulting Tribe on this project pursuant to Assembly Bill A52). A copy of the executed contract shall be submitted to the City of Sierra Madre Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The applicant will inform the Gabrieleño Band of Mission Indians-Kizh Nation of the day, time, and location of the Workers Environmental Awareness Program (WEAP) preconstruction meeting, with a minimum of 5 days advance written notice, as well as make provisions for participation in the training. The Tribal monitor will only be present on-site during the construction phases that involve initial ground-disturbing activities. Initial ground-disturbing activities is defined as initial mass grading and associated movement of sediments from their place of last deposition prior to commencement of the Project. (Initial ground disturbing activities includes but is not necessarily limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.) As it pertains to Native American monitoring, this definition excludes movement of sediments after they have been initially disturbed or displaced by Project-related construction.</p> <p>The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the qualified archaeologist has determined, and in good faith consultation with the Gabrieleño Band of Mission Indians-Kizh Nation, that all initial ground-disturbing activities on the Project Site (as defined above) are</p>	<p>Prior to ground disturbing activities and during construction</p>	<p>City of Sierra Madre Planning Division; Native American Monitor approved by the Gabrieleño Band of Mission Indians-Kizh Nation; Project’s qualified archaeologist; County Coroner (if applicable)</p>	

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<p>completed, or when the qualified archaeologist and Tribal Representatives/Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources (whichever defined threshold is met first). Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find and a buffer of 50 feet will be established where no ground disturbing work will be allowed to occur until the find can be assessed and if required, treated according to CEQA requirements. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist retained on-call and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe will 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 within 100 feet of the find and suspected extent of human remains as determined by the qualified archaeologist retained on-call and Tribal monitor approved by the Consulting Tribe. 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 (outside the 100-foot buffer) while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]).</p>			