

## MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared in compliance with the requirements of Public Resources Code (PRC) Section 21081.6 and California Environmental Quality Act (CEQA) Guidelines Section 15097. This MMRP describes the procedures that will be followed to implement the mitigation measures identified in the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the Esperanza Village project (proposed project) and adopted in connection with the approval of the proposed project. The intent of this MMRP is to establish the following:

- (1) Verify satisfaction of the required mitigation measures identified in the IS/MND;
- (2) Provide a methodology to document implementation of the required mitigation measures;
- (3) Provide a record of the monitoring program;
- (4) Identify monitoring responsibility;
- (5) Establish administrative procedures for the clearance of mitigation measures;
- (6) Establish the frequency and duration of monitoring; and
- (7) Utilize existing review processes wherever feasible.

The City of El Monte, as the Lead Agency, is responsible for overseeing and enforcing implementation of the MMRP, which shall be carried out by the City and other entities (e.g., Applicant/Construction Contractor), as shown in **Table 1**.

<b>TABLE 1: MITIGATION MONITORING PROGRAM</b>				
<b>Mitigation Measure</b>	<b>Monitoring Phase</b>	<b>Responsible Party</b>	<b>Enforcement / Monitoring Party</b>	<b>Action Indicating Compliance</b>
<b>BIOLOGICAL RESOURCES</b>				
<p><b>BR-1</b> Trees shall be removed outside of the nesting season. If tree removal during the nesting season (February 1 through August 31) cannot be avoided, a qualified avian biologist shall conduct pre-construction surveys for nesting and breeding birds in all landscaping and trees no more than one week prior to any construction activities (i.e., mobilization, staging, grading). If nests are found within these trees and contain eggs or young, no activities within a 300-foot buffer for nesting birds and/or a 500-foot buffer for nesting raptors shall occur until the young have fledged from the nest or the nest fails, as determined by the project avian biologist. If birds are found to be nesting in construction equipment and the nests contain eggs or young, buffers as described above shall be implemented. The prescribed buffers may be adjusted by a qualified avian biologist based on existing conditions around the nest, planned construction activities, tolerance of the species, and other pertinent factors. The qualified avian biologist shall conduct regular monitoring of any nest to determine success/failure and to ensure that project activities are not conducted within the buffer(s) until the nesting cycle is complete or the nest fails. The avian shall be responsible for documenting the results of the surveys, nest buffers implemented, and presenting the results in ongoing monitoring reports.</p>	Prior to and During Construction	Applicant / Construction Contractor	Planning / Building and Safety Divisions	<p>For construction within the nesting season, completion of nest survey and submission of results to the City prior to start of construction.</p> <p>During construction, a biologist shall monitor the nests to ensure compliance with this measure and reports shall be submitted to the City documenting compliance.</p>
<b>CULTURAL RESOURCES</b>				
See Mitigation Measures <b>TR-1</b> through <b>TR-3</b>				
<b>GEOLOGY AND SOILS</b>				
<p><b>GS-1</b> A qualified paleontologist shall be retained to conduct a Worker Environmental Awareness Program (WEAP) training for all construction personnel prior to the commencement of any ground-disturbing activities regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. A qualified paleontologist is a paleontologist who meets the Society of Vertebrate Paleontology (SVP) standards for Qualified Professional Paleontologist, which is defined as an individual preferably with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California (preferably southern California), and who has worked as a paleontological mitigation project supervisor for a least one year.</p>	Prior to Ground-Disturbing Activities	Applicant / Construction Contractor	Planning / Building and Safety Divisions	Documentation of WEAP training to be submitted to City prior to start of construction.

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<p><b>GS-2</b> In the event paleontological resources are encountered during construction, the City of El Monte Community and Economic Development Department shall be immediately informed of the discovery. All work shall cease in the area of the find and a qualified paleontologist shall be contacted to evaluate the find before restarting work in the area. The City shall require that all paleontological resources identified on the MacLaren Hall property be assessed and treated in a manner determined by the qualified paleontologist. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case, the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Any significant paleontological resources found during construction monitoring shall be prepared, identified, analyzed, and permanently curated in an approved regional museum repository under the oversight of the qualified paleontologist. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the project paleontologist. Work in the area of the discovery shall resume once the find is properly documented.</p>	<p>During Ground-Disturbing Activities</p>	<p>Applicant / Construction Contractor</p>	<p>Building and Safety Division</p>	<p>Documentation of compliance with this measure to be submitted to the City if resources are encountered.</p>
<b>HAZARDS AND HAZARDOUS MATERIALS</b>				
<p><b>HH-1</b> A Phase II ESA shall be prepared and shall include subsurface sampling in and around the chiller and berm area for heavy metals, including chromium. All recommendations contained in the Phase II ESA shall be implemented.</p>	<p>Prior to Construction</p>	<p>Applicant / Construction Contractor</p>	<p>Planning / Building and Safety Divisions</p>	<p>Phase II to be submitted to City prior to start of construction.</p>
<p><b>HH-2</b> The management and abandonment of the on-site water wells shall follow the standards compiled in the California Department of Water Resources Bulletins 74-81 and 74-90.</p>	<p>Prior to Construction</p>	<p>Applicant / Construction Contractor</p>	<p>Planning / Building and Safety Divisions</p>	<p>Documentation of compliance with this measure to be submitted to the City prior to the start of construction.</p>
<p><b>HH-3</b> Prior to construction, the applicant shall prepare a traffic control plan to address access to and egress from the construction site to ensure that emergency access and traffic and pedestrian safety are maintained.</p>	<p>Prior to Construction</p>	<p>Applicant / Construction Contractor</p>	<p>Planning / Building and Safety Divisions</p>	<p>Traffic control plan to be submitted to the City prior to the start of construction.</p>

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<b>NOISE</b>				
<b>N-1</b> Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with muffling devices consistent with manufacturers' standards. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.	During Construction	Applicant / Construction Contractor	Building and Safety Division	Field inspection sign-off during construction.
<b>N-2</b> The existing concrete wall along the southerly perimeter of the MacLaren Hall property shall remain in place until grading and excavation activities within at least 100 feet of the southern property line have been completed. As feasible during construction, a temporary six-foot-tall plywood wall will be placed along the southern property line adjacent to residences after the concrete wall has been demolished. A six-foot-tall concrete masonry unit (CMU) wall will be placed along the southern property line adjacent to residences when construction activities associated with the residential and mixed-use development has been completed.	Prior and During Construction	Applicant / Construction Contractor	Building and Safety Division	Field inspection sign-off prior to and during construction.
<b>N-3</b> Noise generating construction activities whose specific location on the MacLaren Hall property may be flexible (e.g., operation of compressors and generators) shall be conducted as far away as possible from noise-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses. The construction contractor shall locate construction staging areas away from noise-sensitive uses.	Prior and During Construction	Applicant / Construction Contractor	Building and Safety Division	Field inspection sign-off prior to and during construction.
<b>N-4</b> A "noise disturbance coordinator" shall be established prior to construction. The noise disturbance coordinator shall be responsible for responding to local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall be required to implement reasonable measures such that the complaint is resolved. All notices that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site shall list the telephone number for the disturbance coordinator.	Prior and During Construction	Applicant / Construction Contractor	Building and Safety Division	Provide contact information to City prior to start of construction; field inspection sign-off during construction.
<b>N-5</b> Prior to initiating construction activity, the construction contractor shall coordinate with the school administrator for Twin Lakes Elementary School to discuss construction activities that generate high noise levels. Coordination between the school administrator and the construction contractor shall continue on an as-needed basis throughout the	Prior and During Construction	Applicant / Construction Contractor	Building and Safety Division	Field inspection sign-off prior to and during construction.

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construction phase of the proposed project to mitigate potential disruption of classroom activities.				
<b>TRANSPORTATION</b>				
See Mitigation Measure <b>HH-3</b>				
<b>TRIBAL CULTURAL RESOURCES</b>				
<p><b>TR-1</b> The City of El Monte or its representative, referred to as the “City” (for the proposed residential and mixed-use development), and the County of Los Angeles or its representative, referred to as the “County” (for the County-related development), shall retain a Native American monitor from (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation (the “Kizh” or “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 off-site locations, as applicable, that are included in the project description/definition and/or required in connection with the proposed project, such as public improvement work). Ground-disturbing activity includes pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.</p> <p>The City and County shall provide the Kizh with a minimum of 30 days advance written notice of the general anticipated commencement of any project ground-disturbing activity and 48 hours notice of specific activities so that the Kizh has sufficient time to secure and schedule a monitor for the proposed project.</p> <p>The City and County shall hold at least one pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where a senior member of the Kizh will inform and educate the project’s construction and managerial crew and staff members (including any project subcontractors and consultants) about the tribal cultural resources mitigation measures and compliance obligations, as well as places of significance located on the project site (if any), the appearance of potential tribal cultural resources, and other informational and operational guidance to aid in the project’s compliance with the TCR mitigation measures.</p> <p>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 Kizh.</p>	Prior and During Ground-Disturbing Activities	Applicant / Construction Contractor	Planning / Building and Safety Division	Provide contact information to City prior to start of construction; field inspection sign-off during construction.

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<p>Monitor logs will identify and describe any discovered tribal cultural resources, including but not limited to Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the City and County on an agreed upon routine basis.</p> <p>Native American monitoring for the proposed project shall conclude upon either: (1) written confirmation from a designated project point of contact to the Kizh that all ground- disturbing activities and all phases that may involve ground-disturbing activities at the project site and at any off-site project location, as applicable, are complete; or (2) written notice by the Kizh to the project applicant/lead agency that no future, planned construction and/or development activity at the project site or at any off-site project location, as applicable, possesses the potential to impact tribal cultural resources.</p>				
<p><b>TR-2</b> In the event that subsurface objects or artifacts that may be tribal cultural resources are discovered during the course of any ground-disturbing activities associated with the proposed project, all such work in the immediate vicinity of the discovery (i.e., within a 50-foot radius) shall cease, except as needed to maintain safety on-site, and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. Additionally, the County shall contact all tribes listed on the "Native American Contact List" provided for the proposed project by the NAHC, and provide any affected tribe a reasonable period of time (no less than 14 days) to evaluate the discovery and advise the City (for the residential and mixed-use development) and County (for the County-related development) regarding the significance and treatment of any discovered tribal cultural resources, as well as any mitigation and/or monitoring requirements for future ground-disturbing activities. Work on the other portions of the proposed project outside of the buffered area may continue during this assessment period.</p> <p>If significant tribal cultural resources are discovered and avoidance cannot be ensured, the City (for the residential and mixed-use development) and County (for the County-related development) shall develop a Monitoring and Treatment Plan (the "Plan"), drafts of which shall be provided to the affected tribe(s) for review and comment. A representative of the affected tribe(s) shall monitor the remainder of the proposed project and implement the Plan accordingly.</p> <p>In addition to any recommendations from the affected tribe(s), the City</p>	<p>During Ground-Disturbing Activities</p>	<p>Applicant / Construction Contractor</p>	<p>Building and Safety Division</p>	<p>Documentation of compliance with this measure to be submitted to the City if resources are encountered.</p>

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<p>(for the residential and mixed-use development) and County (for the County-related development) shall take necessary actions to avoid or minimize impacts to the identified tribal cultural resources, consistent with best practices identified by the NAHC and in compliance with all applicable federal, state, and local laws, rules, and regulations.</p> <p>The City (for the residential and mixed-use development) and County (for the County-related development) may recommence ground-disturbing activities within the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in the first three paragraphs of Mitigation Measure TR-2, above.</p> <p>Any information determined to be confidential in nature by the City and County shall be excluded from disclosure under the applicable provisions of the California Public Records Act and California Public Resources Code Section 6254, and shall comply with the City and County's AB 52 confidentiality protocols.</p>				
<p><b>TR-3</b> In the event that human remains and/or funerary objects are encountered during any ground-disturbing activities associated with the proposed project, all such work in the immediate vicinity of the discovery (i.e., within a 100-foot radius) shall cease. The City (for the residential and mixed-use development) and County (for the County-related development) shall immediately report any discoveries of human remains to the County Coroner, in accordance with California Public Resources Code Sections 5097.98(reiterated in the California Code of Regulations Sections 15064.5(e) [hereinafter "CEQA Guidelines"]) and 5097.99, as well as California Health and Safety Code Section 7050.5. The County Coroner will make a determination as to whether the human remains are Native American. If the County 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 the NAHC within 24 hours, and the City and County shall take any and all actions necessary to comply with State law requirements. (See Health and Safety Code Section 7050.5; Public Resources Code Section 5097.98; and CEQA Guidelines, Section 15064.5(d) and 15064.5(e).) Any discovery of Native American human remains and/or funerary objects shall be kept confidential to prevent further disturbance.</p>	During Construction	Applicant / Construction Contractor	Building and Safety Division	Documentation of compliance with this measure to be submitted to the City if human remains are encountered.