

# 11th Street Townhome Project

## Mitigation Monitoring and Reporting Program

The California Environmental Quality Act (CEQA) requires a Lead Agency that approves a project for which a Mitigated Negative Declaration (MND) has been prepared, to adopt or make a condition of approval a Mitigation Monitoring and Reporting Program (MMRP) to ensure that adopted mitigation measures are successfully implemented. The City of Garden Grove is the Lead Agency for the 11th Street Townhome project and is responsible for implementation of the MMRP.

### **Mitigation Monitoring Requirements**

CEQA Guidelines Section 15097 and California Public Resources Code Section 21081.6 identify the following requirements for reporting or mitigation monitoring programs:

- The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval 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. For those changes which have been required or incorporated into the project at the request of a Responsible Agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the Lead Agency or a Responsible Agency, prepare and submit a proposed reporting or monitoring program.
- A public agency shall provide the measures to mitigate or avoid significant effects on the environment that are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or in the case of the adoption of a plan, policy, regulation, or other project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.

This MMRP has been prepared in compliance with CEQA Guidelines Section 15097 and California Public Resources Code Section 21081.6 and describes the procedures to be followed to ensure that all mitigation measures adopted as part of the project would be carried out as described in the Initial Study/MND. This MMRP identifies the measures required for the project, the timing of the measure, and the parties that will be responsible for monitoring implementation of each mitigation measures.

**Mitigation and Monitoring Reporting Program**

Mitigation Measure	Responsible for Ensuring Compliance	Timing of Mitigation Measure	Responsible for Implementation
<b>Aesthetics</b>			
The project would not result in potentially significant impacts related to aesthetics. No mitigation is required.			
<b>Agriculture and Forest Resources</b>			
The project would not result in potentially significant impacts related to agriculture or forest resources. No mitigation is required.			
<b>Air Quality</b>			
The project would not result in potentially significant impacts related to air quality. No mitigation is required.			
<b>Biological Resources</b>			
<p><b>Mitigation Measure BIO-1: Migratory Bird Treaty Act.</b> 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 (ft) 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 ft for raptors and 300 ft 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>Prior to commencement of grading activities and issuance of any building permits, the City Community and Economic Development Director, or designee, shall verify that all project grading and construction plans are consistent with the requirements stated above, that pre-construction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field with orange snow fencing.</p>	<p>Director of the City of Garden Grove Community and Economic Development Department, or designee</p>	<p>3 days prior to commencement of construction or demolition activities / prior to issuance of any building permits</p>	<p>Project Applicant or Construction Contractor</p>

Mitigation Measure	Responsible for Ensuring Compliance	Timing of Mitigation Measure	Responsible for Implementation
<b>Cultural Resources</b>			
<p><b>Mitigation Measure CUL-1: Archaeological Resources.</b> 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 Orange 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). Prior to commencement of grading activities, the Director of the City of Garden Grove Community and Economic Development Department, or designee, shall verify that all project grading and construction plans include specific requirements regarding Public Resources Code Section 21083.2(g) and the treatment of archaeological resources as specified above.</p>	<p>Director of the City of Garden Grove Community and Economic Development Department, or designee</p>	<p>Prior to commencement of grading activities/ prior to issuance of grading permits</p>	<p>Project Applicant or Construction Contractor</p>
<p><b>Mitigation Measure CUL-2: Paleontological Resources.</b> Construction plans and specifications shall 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) 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 any fossil remains are discovered, the paleontologist shall make a recommendation if monitoring shall be required for the continuance of earth moving activities. Prior to commencement of grading activities, the Director of the City Community and Economic Development Department, or designee, shall verify that all project grading and construction plans specify federal, state, and local requirements related to the unanticipated discovery of paleontological resources as stated above.</p>	<p>Director of the City of Garden Grove Community and Economic Development Department, or designee</p>	<p>Prior to commencement of grading activities/ prior to issuance of grading permits</p>	<p>Project Applicant or Construction Contractor</p>
<b>Geology and Soils</b>			
<p>The project would not result in potentially significant impacts related to geology and soils. No mitigation is required.</p>			
<b>Greenhouse Gas Emissions</b>			
<p>The project would not result in potentially significant impacts related to greenhouse gas emissions. No mitigation is required.</p>			

Mitigation Measure	Responsible for Ensuring Compliance	Timing of Mitigation Measure	Responsible for Implementation
<b>Hazards and Hazardous Materials</b>			
The project would not result in potentially significant impacts related to hazards and hazardous materials. No mitigation is required.			
<b>Hydrology and Water Quality</b>			
The project would not result in potentially significant impacts related to hydrology and water quality. No mitigation is required.			
<b>Land Use and Planning</b>			
The project would not result in potentially significant impacts related to land use and planning. No mitigation is required.			
<b>Mineral Resources</b>			
The project would not result in potentially significant impacts related to mineral resources. No mitigation is required.			
<b>Noise</b>			
<p><b>Mitigation Measure NOI-1: Construction Noise and Vibration.</b> The project's grading and construction plans and specifications shall include the following requirements:</p> <ul style="list-style-type: none"> <li>• Large loaded trucks and mobile equipment, such as bulldozers (greater than or equal to 80,000 pounds) shall not be used within 50 feet of the single-family residence adjacent to the project site. Instead, smaller, rubber-tired mobile equipment (less than 80,000 pounds) or equivalent alternative equipment shall be used within this area during project construction.</li> <li>• All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receiver nearest the project site.</li> <li>• The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the project site during all construction.</li> </ul>	Director of the City of Garden Grove Community and Economic Development Department, or designee	Prior to issuance of demolition, grading, or building permits	Project Applicant or Construction Contractor
<b>Population and Housing</b>			
The project would not result in potentially significant impacts related to population and housing. No mitigation is required.			
<b>Public Services</b>			
The project would not result in potentially significant impacts related to public services. No mitigation is required.			
<b>Recreation</b>			
The project would not result in potentially significant impacts related to recreation. No mitigation is required.			
<b>Transportation/Traffic</b>			
The project would not result in potentially significant impacts related to transportation/traffic. No mitigation is required.			

Mitigation Measure	Responsible for Ensuring Compliance	Timing of Mitigation Measure	Responsible for Implementation
<b>Tribal Cultural Resources</b>			
<b>Mitigation Measure CUL-1: Archaeological Resources.</b> Listed above under Cultural Resources.	Listed above under Cultural Resources	Listed above under Cultural Resources	Listed above under Cultural Resources
<p><b>Mitigation Measure TCR-1: Tribal Cultural Resources.</b> The project's grading and construction plans and specifications shall state that prior to commencement of any excavation activities, a Native American monitor from the Gabrielino Band of Mission Indians – Kizh Nation tribe shall be contacted and invited to conduct a Native American Indian Sensitivity Training for construction personnel prior to the start of construction activities. The training session shall include a handout and shall focus on how to identify Native American resources encountered during earthmoving activities and the procedures to be followed if resources are discovered.</p> <p>In the event that tribal cultural resources are inadvertently discovered during ground-disturbing activities, work shall be halted within 50 feet of the find until it can be evaluated by a qualified archaeologist in cooperation with a Native American monitor to determine if the potential resource meets the CEQA definition of historical (CEQA Guidelines 15064.5(a)) and/or unique resource (Public Resources Code Section 21083.2(g)), and/or a "nonunique archeological resource" that conforms with the criteria of Public Resources Code section 21074(a) (Public Resources Code section 21074(c), Public Resources Code section 21083.2(h)). Construction activities could continue in other areas.</p> <p>If the find is considered a "historical resource," a "unique archaeological resource," or a "nonunique archeological resource" that conforms with the criteria of Public Resources Code section 21074(a), the archaeologist, in cooperation with a Native American monitor, shall pursue either protection in place or recovery, salvage and treatment of the resource. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resources Code Section 21083.2 and CEQA Guidelines 15064.5 and 15126.4. If resource, as defined above, cannot be preserved in place or left in an undisturbed state, recovery, salvage and treatment shall be required at the project applicant's expense. All recovered and salvaged resources shall be identified and permanently preserved in an established accredited professional repository. Prior to commencement of grading activities, the Director of the City Community and Economic</p>	Director of the City of Garden Grove Community and Economic Development Department, or designee	Prior to commencement of grading activities/ prior to issuance of grading permits	Project Applicant or Construction Contractor

<b>Mitigation Measure</b>	<b>Responsible for Ensuring Compliance</b>	<b>Timing of Mitigation Measure</b>	<b>Responsible for Implementation</b>
Development Department, or designee, shall verify that all project grading and construction plans require the Native American Sensitivity Training and the treatment of resources as specified in this mitigation measure.			
<b>Utilities and Service Systems</b>			
The project would not result in potentially significant impacts related to utilities and service systems. No mitigation is required.			