



4.0 MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, Table 1, *Mitigation Monitoring and Reporting Checklist*, has been prepared for the Chick-fil-A and Starbucks Huntington Drive & 210 Project (project). This Mitigation Monitoring and Reporting Checklist is intended to provide verification that all applicable mitigation measures relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the City of Monrovia's "Monrovia Chick-fil-A and Starbucks Huntington Drive & 210 Project" file.

This Mitigation Monitoring and Reporting Program (MMRP) delineates responsibilities for monitoring the project, but also allows the City flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the Mitigation Monitoring and Reporting Checklist (Table 1). If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The City distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the IS/MND, which provides general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance will be addressed to the City as appropriate.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.
- Responsible parties provide the City with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.
- The City prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.



- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the MMRP, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the City. Such changes could include reassignment of monitoring and reporting responsibilities, plan redesign to make any appropriate improvements, and/or modification, substitution or deletion of mitigation measures subject to conditions described in CEQA Guidelines Section 15162. No change will be permitted unless the MMRP continues to satisfy the requirements of Public Resources Code Section 21081.6.

It is acknowledged that the public review draft IS/MND identified the following standard conditions of approval:

SC AIR-1 Prior to issuance of any Grading Permit, the City of Monrovia Public Works Department shall confirm that the project stipulates that, in compliance with SCAQMD Rule 402 and Rule 203, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures, as specified in the SCAQMD's Rules and Regulations. SCAQMD Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Applicable dust suppression techniques from Rules 403 and 402 are as follows:

- The Project Construction Contractor shall develop and implement dust control methods that shall achieve this control level in a SCAQMD Rule 403 dust control plan, designate personnel to monitor the dust control program, and order increased watering, as necessary, to ensure a 55 percent control level. Those duties shall include holiday and weekend periods when work may not be in progress. Additional control measures to reduce fugitive dust shall include, but are not limited to, the following:
 - Apply water twice daily, or nontoxic soil stabilizers according to manufacturer's specifications, to all unpaved parking or staging areas or unpaved road surfaces or as needed to areas where soil is disturbed.
 - Use low-sulfur fuel for stationary construction equipment. This is required by SCAQMD Rules 431.1 and 431.2.
 - During earthmoving or excavation operations, fugitive dust emissions shall be controlled by regular watering to prevent excessive amounts of dust, ceasing earthmoving and excavation activities during periods of high winds (i.e., winds greater than 20 miles per hour (mph) averaged over 1 hour), and minimizing the area disturbed by earthmoving or excavation operations at all times.
 - After earthmoving or excavation operations, fugitive dust emissions shall be controlled by revegetating and watering portions of the construction area to remain inactive longer than a period of 3 months and watering all active portions of the construction site.



- At all times, fugitive dust emissions shall be controlled by limiting the on-site vehicle speed to 15 mph and paving road improvements as soon as feasible.
- At all times during the construction phase, ozone precursor emissions from mobile equipment shall be controlled by maintaining equipment engines in good condition and in proper tune according to manufacturers' specifications.
- Outdoor storage piles of construction materials shall be kept covered, watered, or otherwise chemically stabilized with a chemical wetting agent to minimize fugitive dust emissions and wind erosion.

SC AIR-2

Prior to issuance of any Grading Permit, the City of Monrovia Public Works Department shall confirm that the project complies with Mitigation Measure AIR-C of the *Final Environmental Impact Report, Monrovia General Plan Proposed Land Use and Circulations Elements* (dated January 2008) to reduce diesel engine emissions of ozone precursors ROGs and NOx, particulate matter less than 10 microns in size (PM₁₀), particulate matter less than 2.5 microns in size (PM_{2.5}), and diesel particulate matter (DPM).

- Idling of diesel-powered vehicles and equipment shall not be permitted during periods of non-active vehicle use. Diesel-powered engines shall not be allowed to idle for more than 5 consecutive minutes in a 60-minute period when the equipment is not in use, occupied by an operator, or otherwise in motion, except as follows:
 - When equipment is forced to remain motionless because of traffic conditions or mechanical difficulties over which the operator has no control;
 - When it is necessary to operate auxiliary systems installed on the equipment, only when such system operation is necessary to accomplish the intended use of the equipment;
 - To bring the equipment to the manufacturers' recommended operating temperature;
 - When the ambient temperature is below 40 degrees Fahrenheit (°F) or above 85°F; or when equipment is being repaired.

SC AIR-3:

Throughout operation of the project, the Director of the City of Monrovia Community Development Department, or designee, shall ensure that the project complies with applicable provisions of Section 8.10.30 of the City's Municipal Code, which requires that every person in control of the day-to-day operations at any commercial premise provide for the collection and proper disposal of solid waste at least once per week.

SC GS-1

Prior to issuance of a grading permit or encroachment permit, the respective Applicant shall provide a geotechnical report that addresses earthwork and foundation recommendations, including but not limited to, earthwork, retaining walls and foundation construction adjacent to the existing structures located on the property, pavement structural sections and recommendations. The geotechnical report shall include data regarding the nature,



distribution and strengths of existing soils, conclusions and recommendations for grading procedures, design criteria for and identified corrective measures, and opinions and recommendations regarding existing conditions and proposed grading. The report shall also include subsurface geology of the site, degree of seismic hazard if any, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, opinions and recommended design criteria to mitigate any identified geologic hazards including locations of surface and subsurface fault lines in the area as applicable. Provide off-site and on-site pavement structural section to be address with recommendation based on Traffic indexes and R values, per Caltrans methods.

SC GS-2 If evidence of subsurface paleontological resources is found during construction, excavation and other construction activity in that area shall cease within 50 feet of the discovery and the construction contractor shall contact the City Planning Division. With direction from the City Planning Division, a qualified paleontologist (B.S./B.A. in geology, or related discipline with an emphasis in paleontology and demonstrated experience and competence in paleontological research, fieldwork, reporting, and curation) shall evaluate the find and recommend a course of action. If warranted, the paleontologist shall prepare and complete a standard Paleontological Resources Mitigation Program for identified resources. Construction shall not resume within 50 feet of the discovery until the site paleontologist states in writing that the proposed construction activities would not significantly damage paleontological resources.

SC N-1 Prior to the issuance of any Grading Permits, the project proponent shall produce evidence acceptable to the City of Monrovia Public Works Department, that the following measures are implemented during construction:

1. Turn off equipment when not in use;
2. Limit the use of enunciators or public address systems, except for emergency notifications;
3. Maintain equipment in proper operating condition, and properly secure all loads to prevent rattling and banging;
4. Schedule work to avoid simultaneous construction activities to reduce high construction noise levels;
5. Use equipment with effective mufflers; and
6. Minimize the use of backup alarms.



Table 1
Mitigation Monitoring and Reporting Checklist

Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	Verification of Compliance		
						Initials	Date	Remarks
BIOLOGICAL RESOURCES								
BIO-1	In the event that vegetation and tree removal should occur between January 15 and September 15, the respective project Applicant shall retain a qualified biologist to conduct a nesting bird survey no more than three days prior to commencement of construction activities. Results of the pre-construction survey shall be submitted to the City's Planning Division prior to the commencement of construction activities and the issuance of any permits. The biologist conducting the clearance survey shall document the negative results if no active bird nests are observed on the project site or within the vicinity during the clearance survey with a brief letter report, submitted to the City's Planning Division prior to construction, indicating that no impacts to active bird nests would occur before construction can proceed. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For listed	Project Applicant; Construction Contractor; Qualified Biologist	Prior to Commencement of Construction Activities; During Construction	City of Monrovia Planning Division	Prior to Commencement of Construction Activities; During Construction			



Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	Verification of Compliance		
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	raptor species, this buffer shall be 500 feet. If active nests are determined to be present, a biological monitor shall be on-site to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by construction activity or until construction activity is completed, whichever comes first. Monitoring activities shall be reported to the City's Planning Division for review and approval on a monthly basis until nesting behavior is not adversely affected by construction activity or construction activity is completed, whichever comes first.							
CULTURAL RESOURCES								
CUL-1	If previously unidentified cultural resources are encountered during ground disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology must be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, the qualified archaeologist shall expeditiously prepare and implement a research design and archaeological data recovery plan that captures those categories of data for which the site is significant in accordance with Section	Project Applicant; Qualified Archaeologist	Prior to and During Ground-Disturbing Activities	City of Monrovia Planning Division	Prior to and During Ground-Disturbing Activities			



Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	Verification of Compliance		
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	15064.5 of the CEQA Guidelines. In the event that an identified cultural resource is of Native American origin, the qualified archaeologist shall consult with the Applicant and the City's Planning Division to implement Native American consultation procedures. Construction shall not resume in those areas halted until the qualified archaeologist states in writing that the proposed construction activities would not significantly damage any archaeological resources.							
HAZARDS AND HAZARDOUS MATERIALS								
HAZ-1	<u>Soil Management Plan</u> . Prior to issuance of a grading permit, a Soil Management Plan (SMP) shall be prepared by a qualified environmental professional with Phase II/Site Characterization experience (Consultant). The SMP shall be made available to the contractor and the City Engineer for use during grading and excavation activities. The SMP shall detail appropriate best management practices to properly manage impacted soil in a manner protective of human health and consistent with applicable Federal, State, and local laws. Soil generated from the project site that requires off-site disposal shall be characterized prior to disposal at a licensed disposal facility or other	Project Applicant; Qualified Environmental Professional	Prior to Issuance of Grading Permit; During Construction	City of Monrovia Planning Division	Prior to Issuance of a Grading Permit; During Construction			



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	commercial property, as appropriate in consultation with the Consultant.							
HAZ-2	<p><u>Magnetometer Survey.</u> After demolition of the existing on-site structure, but prior to grading activities, a magnetometer survey shall be conducted by a qualified surveyor to determine the likely presence or absence of hydraulic lifts and/or underground storage tanks (USTs) at the Chick-fil-A restaurant site. The condition for implementation of a magnetometer survey shall be indicated on the grading plans approved by the City Engineer. Should the survey identify possible underground features that require removal, a qualified Phase II/Site Characterization Specialist shall be retained and shall recommend appropriate measures be taken during removal and disposal. Should hydraulic lifts or USTs be identified, the appropriate regulatory agency (e.g., the Los Angeles County Public Works, Environmental Programs Division) shall be notified in order to ensure proper regulatory oversight of removal, disposal, and remediation, if necessary, of these features. Personnel involved with the field activities shall have current hazardous waste operations and emergency</p>	Project Applicant; Qualified Environmental Professional	After Demolition, but Prior to Grading Activities; During Construction	City of Monrovia Planning Division	After Demolition, but Prior to Grading Activities; During Construction			



Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	Verification of Compliance		
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	response training in accordance with Occupational Safety and Health Administration (OSHA) standard 1926.65.							
TRANSPORTATION								
TRA-1	The respective Applicants shall prepare an on-site transportation circulation plan for review and approval by the City Engineer prior to final plan approval. The plan shall include requirements for monitoring of vehicle queuing in the drive-thru lanes to ensure queued vehicles do not block vehicular circulation within the parking lot, and que in such a way that avoids overflow onto Huntington Drive. Should queueing occur beyond the available vehicle storage (13 vehicles for Starbucks café or 23 vehicles for Chick-fil-A restaurant), team members shall go out to the drive-thru lanes and take orders with hand held ordering and payment devices to increase ordering and payment efficiency and reduce queues. The on-site transportation circulation plan shall also identify recommended staff parking areas closest to the anticipated drive-thru queuing areas in order to allow stacking.	Project Applicant	Prior to Final Plan Approval; During Operations	City of Monrovia Public Works Division	Prior to Final Plan Approval; During Operations			
TRA-2	Prior to project construction initiation, the respective Applicants shall prepare a Traffic Management Plan (TMP) for	Project Applicant	Prior to Construction Activities;	City of Monrovia	Prior to Construction Activities;			



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	approval by the City Traffic Engineer. The TMP shall specify that one direction of travel in each direction on adjacent roadways must always be maintained during project construction activities. If full lane closures are required and one direction of travel in each direction cannot be maintained, the TMP shall identify planned detours. The TMP shall include measures such as construction signage, limitations on timing for lane closures to avoid peak hours, temporary striping plans, and use of construction flag person(s) to direct traffic during heavy equipment use. The TMP shall be incorporated into project specifications for verification prior to final plan approval.		During Construction	Public Works Division	During Construction			
TRIBAL CULTURAL RESOURCES								
TCR-1	Prior to the commencement of any ground-disturbing activity at the project site, the respective Applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians – Kizh Nation, the tribe that consulted on this project pursuant to Assembly Bill 52 (the “Tribe” or the “Consulting Tribe”). A copy of the executed contract shall be submitted to the City of Monrovia Community Development Department prior to the issuance of any permit necessary to commence a ground-disturbing activity.	Project Applicant; Native American Monitor	Prior to and During Ground-Disturbing Activities	City of Monrovia Planning Division	Prior to and During Ground-Disturbing Activities			



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	<p>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 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 for impacting Tribal Cultural Resources.</p> <p>In the event that potential tribal cultural resources are discovered during project construction, 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</p>							



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	<p>activities shall be evaluated by the Tribal Monitor, approved by the Consulting Tribe, and a qualified archaeologist, if one is present. 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).</p> <p>Work may continue in other parts of the project site while evaluation and any required recovery activities take place. If a non-Native American resource is determined by the qualified archaeologist to constitute a "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</p>							



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	<p>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.</p> <p>Any historic archaeological material that is not Native American in origin (non-TCR) 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>							



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