



32051 Coast Highway Project

Mitigation Monitoring and Reporting Program

prepared by

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Mitigation Monitoring and Reporting Program

1.1 Introduction to the MMRP

This mitigation, monitoring, and reporting plan (MMRP) is designed to fulfill Public Resources Code [PRC] Section 21081.6 of the California Environmental Quality Act (CEQA), which requires public agencies to adopt a reporting or monitoring program whenever a project or program is approved that includes mitigation measures identified in an environmental document, that are necessary to mitigate or avoid significant effects on the environment. PRC Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, which shall be defined prior to final certification of the Final Initial Study-Mitigated Negative Declaration (IS-MND).

This MMRP was developed to track and ensure compliance with adopted mitigation measures during the project implementation phase. For each mitigation measure recommended in the IS-MND, specifications are made herein that identify the action required, the monitoring that must occur, and the agency or department responsible for oversight.

1.2 MMRP Matrix

Table 1, *Mitigation Monitoring and Reporting Program*, below, lists mitigation measures and project design features that reduce the potentially significant effects of the proposed project. These measures correspond to those measures discussed in in the IS-MND. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised that identifies the timing and entity/agency responsible for monitoring each measure. The City of Laguna Beach shall have the responsibility for implementing the measures, and various public agencies will have the primary responsibility for enforcing, monitoring, and reporting the implementation of the mitigation measures.

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure/ Condition of Approval	Method of Verification	Responsibility/ Timing of Implementation	Enforcement Agency
Air Quality			
AQ-1: Construction Emissions Reduction			
<p>Prior to issuance of grading permits, the following measures shall be implemented:</p> <ul style="list-style-type: none"> ▪ All mobile off-road equipment (wheeled or tracked) greater than 50 horsepower used during construction activities shall meet the USEPA Tier 4 Final standards. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final standards. These requirements shall be incorporated into the contract agreement with the construction contractor. A copy of the equipment’s certification or model year specifications shall be available upon request for all equipment on-site. ▪ Electricity shall be supplied to the site from the existing power grid to support the electric construction equipment. If connection to the grid is determined to be infeasible for portions of the project, a non-diesel fueled generator shall be used. ▪ The project shall comply with the CARB Air Toxics Control Measure that limits diesel powered equipment and vehicle idling to no more than five minutes at a location, and the CARB In-Use Off-Road Diesel Vehicle Regulation; compliance with these would minimize emissions of TACs during construction. 	<p>The Applicant shall ensure that construction contractors have access to and shall utilize the equipment types specified through contractual language and documents. The Applicant shall also ensure this measure is identified on project plans. Construction bid documents, purchase orders, and contracts, and project plans identifying these requirements shall be provided to the City for verification.</p>	<p>The City shall review applicable construction bid documents, purchase orders, contracts, and plans prior to issuance of grading/construction permits to ensure compliance. Measure shall apply during all construction phases.</p>	<p>City of Laguna Beach, Building Department</p>
Biological Resources			
BIO-1: Nesting Bird Avoidance			
<p>Project-related activities shall occur outside of the bird breeding season (February 1 to August 31) to the extent practicable. If construction must occur within the bird breeding season, then no more than seven days prior to initiation of ground disturbance and/or vegetation removal, a nesting bird pre-construction survey shall be conducted by a qualified biologist within the disturbance footprint plus a 100-foot buffer, where feasible. If the proposed project is phased or construction activities stop for more than two weeks, a subsequent pre-construction nesting bird survey shall be completed prior to each phase of construction.</p>	<p>Preconstruction survey results and written verification of appropriate buffers or mitigation measures if bird nests are identified in the survey.</p>	<p>Within seven days prior to commencing construction activities that would take place between February 1 and August 31, the City shall contract a qualified biologist to conduct a preconstruction nesting survey. Review record of protective measures upon</p>	<p>City of Laguna Beach, Building Department</p>

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<p>Pre-construction nesting bird surveys shall be conducted during the time of day when birds are active and shall factor in sufficient time to perform this survey adequately and completely. A report of the nesting bird survey results, if applicable, shall be submitted to the City of Laguna Beach for review and approval prior to ground and/or vegetation disturbance activities.</p> <p>If nests are found, their locations shall be flagged to facilitate avoidance. An appropriate avoidance buffer of 150 feet for passerines and up to 300 feet for raptors, and depending on the proposed work activity, shall be demarcated by a qualified biologist with bright orange construction fencing or other suitable flagging. Active nests shall be monitored at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults. No ground disturbance shall occur within this buffer until the qualified biologist confirms that the breeding/nesting is completed, and all the young have fledged. If project activities must occur within the buffer, they shall be conducted at the discretion of the qualified biologist. If no nesting birds are observed during pre-construction surveys, no further actions would be necessary.</p>		<p>notice of located active bird nests and verify that buffers and recommended measures to avoid nests are in place prior to commencing construction.</p>	
BIO-2: Construction Site Housekeeping			
<p>Project construction activities shall implement the following best practices:</p> <ul style="list-style-type: none"> ▪ Prior to ground disturbance, the construction contractor shall install adequate erosion and sedimentation barriers (e.g., silt fencing) at the project site boundaries to prevent any sediment-laden runoff or debris from the coastal bluffs and Pacific Ocean located to the west of the project site. ▪ The project disturbance limits shall be clearly marked with construction fencing (or other highly visible material), and vehicle/equipment maintenance and fueling areas shall be located at least 100 feet away from the western project site boundaries. ▪ To prevent inadvertent entrapment of animals during the construction phase of the project, all excavated, steep-walled holes or trenches more than 2-feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they 	<p>Verify through periodic site visits that sediment controls are in place, construction disturbance limits are delineated through fencing, excavations and trenches are appropriately covered, adherence to trash disposal and refuse management measures are being practiced, and rodenticide and herbicides are not being used. Include measures in construction contractor specifications, as applicable.</p>	<p>The City shall verify compliance periodically throughout construction activities.</p>	<p>City of Laguna Beach, Building Department</p>

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<p>shall be thoroughly inspected for trapped animals. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape.</p> <ul style="list-style-type: none"> ▪ For the duration of construction activities, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least daily from the construction site. ▪ Use of rodenticides and herbicides in project sites shall be restricted. This is necessary to prevent primary or secondary poisoning of predators and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by USEPA, California Department of Food and Agriculture, and other State and federal legislation. 			
Cultural Resources			
CR-1: Unanticipated Discovery of Archaeological Resources			
<p>If cultural resources are encountered during ground-disturbing activities, work in the immediate area (100 feet of the discovery) must halt and an archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards for archaeology (National Park Service 1983) should be contacted immediately to evaluate the find. Should the discovery be Native American in origin, Native American consultation will be conducted and a Tribal monitor culturally affiliated with the area will be contracted to assist with the discovery. If the discovery proves to be significant under the NHPA and/or CEQA and cannot be avoided, additional work such as data recovery excavation and additional Native American consultation ahead of any data recovery efforts may be warranted to mitigate any significant impacts/adverse effects.</p>	<p>Written verification of compliance with procedures for treatment of discovered archaeological resources shall be provided to the City by the qualified archaeologist.</p>	<p>The City shall provide written evidence that a qualified archaeologist has been retained in the event of a find and ensure that this measure applies during ground disturbing phases of construction.</p>	<p>City of Laguna Beach, Community Development and Building Department</p>

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Geology and Soils			
GEO-1: Paleontological Resources Mitigation and Monitoring Program			
<p>Qualified Professional Paleontologist. Prior to excavation, the project applicant shall retain a Qualified Professional Paleontologist, as defined by the SVP (2010). The Qualified Professional Paleontologist shall direct all mitigation measures related to paleontological resources.</p> <p>Paleontological Worker Environmental Awareness Program. Prior to the start of construction, the Qualified Professional Paleontologist or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.</p> <p>Paleontological Monitoring. Full-time paleontological monitoring shall be conducted during all ground disturbing construction activities. Paleontological monitoring shall be conducted by a paleontological monitor with experience with collection and salvage of paleontological resources and who meets the minimum standards of the SVP (2010) for a Paleontological Resources Monitor. The duration and timing of the monitoring will be determined by the Qualified Professional Paleontologist based on the observation of the geologic setting from initial ground disturbance, and subject to the review and approval by the City of Laguna Beach. If the Qualified Professional Paleontologist determines that full-time monitoring is no longer warranted, based on the specific geologic conditions once the full depth of excavations has been reached, they may recommend that monitoring be reduced to periodic spot-checking or ceased entirely. Monitoring shall be reinstated if any new ground disturbances are required, and reduction or suspension shall be reconsidered by the Qualified Professional Paleontologist at that time. In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. A Qualified Professional Paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the Qualified Professional Paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources:</p>	<p>Monitoring agreement with qualified paleontologist and final monitoring report.</p>	<p>Prior to the issuance of construction permits, the City shall provide written evidence that a qualified paleontologist has been retained and ensure that this measure applies during ground disturbing phases of construction.</p>	<p>City of Laguna Beach, Building Department</p>

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<ul style="list-style-type: none"> ▪ Fossil Salvage. If fossils are discovered, the paleontological monitor shall have the authority to halt or temporarily divert construction equipment within 50 feet of the find until the paleontological monitor and/or Qualified Professional Paleontologist evaluate the discovery and determine if the fossil may be considered significant. Typically, fossils can be safely salvaged quickly by a single paleontological monitor 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. Bulk matrix sampling may be necessary to recover small invertebrates or microvertebrates from within paleontologically sensitive deposits. ▪ Fossil Preparation and Curation. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Professional Paleontologist. <p>Final Paleontological Mitigation Report. Upon completion of ground disturbing activity (and curation of fossils if necessary) the Qualified Professional Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. The report shall be submitted to the City of Laguna Beach. If the monitoring efforts produced fossils, then a copy of the report shall also be submitted to the designated museum repository.</p>			

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Noise			
NOI-1: Construction Noise Reduction Measures			
<p>The project applicant shall reduce construction noise levels to nearby residences to not exceed the FTA’s residential construction noise threshold of 80 dBA L_{eq} (8-hour). This shall be accomplished through the following measures:</p> <ul style="list-style-type: none"> ▪ Prior to the initiation of construction activities at the project site, the Applicant shall install temporary noise barriers/blankets along the northern and southern construction site boundaries near residential receivers during construction. The temporary barriers/blankets shall have a minimum height of 24 feet to block the line of sight between the construction source and the adjacent multi-story residential receivers. Barriers shall be constructed with a solid material that has a density of at least 1.5 pounds per sf with no gaps from the ground to the top of the barrier. ▪ Two weeks prior to the commencement of construction at the project site, notification that discloses anticipated construction schedule and timing shall be provided to residents on Point Place and along Coast Highway within 300 feet of the project. ▪ A sign shall be posted at the construction site entrance, or other conspicuous location, that includes a 24-hour telephone number for project information, and a procedure where a field engineer/construction manager will respond to and investigate noise complaints and take corrective action, if necessary, in a timely manner. The sign shall have a minimum dimension of 48 inches wide by 24 inches high with a one-inch minimum font height and shall also include contact information for Community Development Department staff. The sign shall be placed five feet above ground level. ▪ If a construction noise complaint(s) is registered, the contractor shall retain a City-approved noise consultant to conduct noise measurements at the properties that registered the complaint. The noise measurements shall be conducted for a minimum of eight hours. The consultant shall prepare a letter report for code enforcement summarizing the measurements, calculation data used in determining 	<p>Prior to issuance of construction permits, the City Community Development Department shall confirm that project plans include this mitigation measure. Prior to the start of construction, the City shall notify residences within 300 feet of the project site of the construction schedule and verify through a field visit that temporary sound barriers and the site entrance sign have been installed. Throughout construction, the City shall be notified by the construction contractor if noise complaints are received and shall ensure that a noise consultant is retained to conduct construction noise monitoring and investigate any noise complaints.</p>	<p>Prior to the issuance of construction permits, the City shall verify that this mitigation measure is included in the project plans. Two weeks prior to the start of construction, the City shall provide written notification to residences within 300 feet of the project site. Prior to the start of construction, the City shall verify through field inspection that noise barriers and the site entrance sign have been posted. Throughout construction, the City shall verify that noise complaint procedures are being implemented, as necessary.</p>	<p>City of Laguna Beach, Building Department</p>

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<p>impacts, and potential measures to reduce noise levels to the maximum extent feasible.</p>			
<p>NOI-2: Vibration Reduction Measures</p>			
<p>The project applicant shall monitor vibration levels to nearby residences to not exceed the FTA vibration threshold of 0.20 in/sec PPV for architectural damage. This shall be accomplished through the following measures:</p> <ul style="list-style-type: none"> ▪ A construction vibration monitoring plan shall be developed to document conditions at the neighboring structures prior to, during, and after vibration-generating demolition and grading activities. The plan shall be approved by the Director of Planning, Building and Code Enforcement, or the Director’s designee, prior to ground disturbance and building demolition activities. All plan tasks shall be undertaken under the direction of a qualified professional (e.g., acoustical consultant or licensed Professional Structural Engineer) and be in accordance with industry accepted standard methods. The vibration monitoring plan, including a vibration velocity limit (as determined based on a detailed review of the building), method (including locations and instrumentation) for monitoring vibrations during construction, and method for alerting responsible persons who have the authority to halt construction should limits be exceeded or damaged observed. The vibration limits shall be reduced if movement or cracking is detected. The construction vibration monitoring plan shall be implemented to include the following tasks: <ul style="list-style-type: none"> ▫ Identification of sensitivity to groundbourne vibration of the neighboring residential structures. A vibration survey shall be performed by a qualified professional (e.g., acoustical consultant or licensed Professional Structural Engineer). ▫ Performance of a photo survey, elevation survey, and crack monitoring survey for the structures. Surveys shall be performed prior to and after completion of all vibration-generating activity. The surveys shall include internal and external crack monitoring in the structure, settlement, and distress and shall document the condition of the foundation, walls and other structural elements in the interior and exterior of the structures. 	<p>Prior to the start of construction, the City shall contract a qualified professional at the expense of the Applicant to prepare and implement a construction vibration monitoring plan. The City shall review the monitoring reports for each phase of construction to verify compliance with this mitigation measure. Throughout construction, the City shall be notified by the construction contractor and/or vibration monitor if vibration complaints are received and shall ensure that complaints are investigated in accordance with this measure.</p>	<p>Prior to the start of construction, the City shall verify that a qualified professional has been retained and that an approved construction vibration monitoring plan has been developed. Throughout construction, the City shall review the monitoring reports for each construction phase to ensure that this measure is being implemented. The City shall verify throughout construction that vibration complaint procedures are being implemented, as necessary.</p>	<p>City of Laguna Beach, Building Department</p>

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<ul style="list-style-type: none"> ▫ Development of a vibration monitoring and construction contingency plan to identify where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after demolition and construction activities. Construction contingencies would be identified for when vibration levels approach the limits. ▪ If vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structure. ▪ Conduct a post-survey on the structure where either monitoring has indicated high levels or there have been complaints of damage. ▪ Summarize the results of all vibration monitoring and submit results in a report after completion of each construction phase with the potential to generate high vibration levels (e.g., demolition and grading). The report shall include a description of measurement methods, equipment used, calibration certificates, and graphics as required to clearly identify vibration-monitoring locations. An explanation of all events that exceeded vibration limits shall be included together with proper documentation supporting any such claims. The report shall be submitted to the Director of Planning, Building and Code Enforcement or the Director’s designee two weeks after completion of each phase identified in the project schedule. ▪ Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted in one or more locations at the construction site. 			

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Tribal Cultural Resources			
TCR-1: Unanticipated Discovery of Tribal Cultural Resources			
<p>In the event that a cultural resource of Native American origin is found during project-related ground disturbance, excavation and other construction activity within a 100-foot radius shall immediately cease. If the City of Laguna Beach, in consultation with local Native Americans, determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with Native American groups. The mitigation plan may include but would not be limited to avoidance, capping in place, excavation and removal of the resource, interpretive displays, sensitive area signage, or other mutually agreed upon means.</p>	<p>Written verification from Tribal monitor/consultant of compliance with procedures for treatment of discovered Tribal cultural resources.</p>	<p>The City shall provide written evidence that a representative from a local Native American tribe has been contracted to evaluate the find and ensure that this measure applies during ground disturbing phases of construction.</p>	<p>City of Laguna Beach, Community Development Department and Building Department</p>