

APPENDIX H

Mitigation Monitoring Program

MITIGATION MONITORING AND REPORTING PROGRAM

5.1 Mitigation Monitoring and Reporting Requirements

Public Resources Code (PRC) Section 21081.6 (enacted by the passage of Assembly Bill [AB] 3180) mandates that the following requirements shall apply to all 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.
- The Lead Agency shall specify the location and custodian of the documents or other material, which constitute the record of proceedings upon which its decision is based. 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.
- Prior to the close of the public review period for a draft Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND), a Responsible Agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the Lead Agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the Responsible Agency or agency having jurisdiction over natural resources affected by the project, or refer the Lead Agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a Lead Agency by a Responsible Agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures that mitigate impacts to resources, which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a Responsible Agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit that authority of the Responsible Agency or agency having jurisdiction over natural resources affected by a project, or the authority of the Lead Agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

5.2 Mitigation Monitoring and Reporting Procedures

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in compliance with PRC Section 21081.6. It describes the requirements and procedures to be followed by the City of Costa Mesa to ensure that all mitigation measures or required project design features (PDF) adopted as part of the proposed project will be carried out as described in this IS/MND. Table 5.2-1 lists each of the mitigation measures or project design features specified in this document and identifies the party or parties responsible for implementation and monitoring of each measure.

**Table 5.2-1
Vans Building Expansion Project
Mitigation Monitoring and Reporting Program**

Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
4.1 Aesthetics			
The proposed project would not result in significant adverse impacts related to aesthetics. No mitigation would be required.			
4.2 Agricultural and Forestry Resources			
The proposed project would not result in significant adverse impacts related to agriculture and forest resources. No mitigation would be required.			
4.3 Air Quality			
The proposed project would not result in significant adverse impacts related to air quality. No mitigation would be required.			
4.4 Biological Resources			
BIO-1: Pre-Construction Nesting Bird Survey. If construction activities occur within the bird breeding season (February 1 st – August 31 st), then	City of Costa Mesa Development	In the event that construction activities	

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<p>the Project Proponent shall retain a qualified biologist to conduct a pre-construction nesting bird survey no more than 30 days prior to the start of construction. The nest survey shall include the Project site and areas immediately adjacent to the site that could potentially be affected by Project activities such as noise, human activity, dust, etc. If active bird nests are found on or immediately adjacent to the Project site, then the qualified biologist will establish an appropriate buffer zone around the active nests, typically a 250-foot radius for songbirds and a 500-foot radius for raptors. Project activities shall be avoided within the buffer zone until the nest is deemed no longer active by the biologist. Weekly nesting surveys and biological monitoring may be necessary if nesting birds are found on the Project site.</p>	<p>Services Director, or designee</p>	<p>occur during the breeding season (February 1–August 31)/ Prior to commencement of grading activities and issuance of any building permits.</p>	
<p>4.5 Cultural Resources</p>			
<p>CUL-1: Archaeological Monitoring and Accidental Discovery. Prior to approval of grading plans, the Project Applicant shall submit a letter to the City of Costa Mesa Development Services Department, Planning Division, which identifies the qualified archaeologist hired to conduct the following actions:</p> <p>1. The qualified archaeologist shall be present to monitor all on-site demolition, excavation, and grading activities. The qualified archeologist shall be present at the pre-grading conference in order to establish procedures for temporarily halting or redirecting work to allow for sampling, identification, and evaluation of potentially significant artifacts uncovered during construction. If artifacts are uncovered and determined to be significant, the qualified archaeologist shall determine appropriate</p>	<p>City of Costa Mesa Development Services Director, or designee</p>	<p>Prior to commencement of any grading activities on site/During project excavation and grading activities</p>	

Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
<p>actions in cooperation with the Project Applicant for exploration and/or salvage.</p> <p>2. Artifacts that are collected prior to or during grading activities will be donated to an appropriate educational or research institution.</p> <p>3. Any archaeological work at the site conducted by a qualified archaeologist shall be conducted under the supervision of an Orange County Certified archaeologist. If artifacts are discovered during demolition, excavation, and/or grading activities when the qualified archaeologist is not present, demolition, excavation, and/or grading activities shall be diverted around the area until the monitor can survey the area.</p> <p>4. A final report detailing the findings and disposition of artifacts discovered on the site shall be submitted to the City of Costa Mesa. Upon completion of demolition, excavation, and/or grading activities the qualified archaeologist shall notify the City as to when the final report will be submitted.</p>			
4.6 Energy			
<p>The proposed project would not result in significant adverse impacts related to energy. No mitigation is required.</p>			

Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
4.7 Geology and Soils			
<p>GEO-1: Unanticipated Discovery – Paleontological Resources. If paleontological resources (i.e., fossil remains) are discovered during excavation activities, the contractor will notify the City and cease excavation within 100 feet of the find until a qualified paleontological professional can provide an evaluation of the site. The qualified paleontological professional will evaluate the significance of the find and recommend appropriate measures for the disposition of the site (e.g. fossil recovery, curation, data recovery, and/or monitoring). Construction activities may continue on other parts of the construction site while evaluation and treatment of the paleontological resource takes place.</p>	City of Costa Mesa Engineer, or designee	Prior to issuance of grading permits	
4.8 Greenhouse Gas Emissions			
The proposed project would not result in significant adverse impacts related to greenhouse gas emissions. No mitigation would be required.			
4.9 Hazards and Hazardous Materials			
The proposed project would not result in significant adverse impacts related to public services and utilities. No mitigation would be required.			
4.10 Hydrology and Water Quality			

Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
The proposed project would not result in significant adverse impacts related to hydrology and water quality. No mitigation would be required.			
4.11 Land Use and Planning			
The proposed project would not result in significant adverse impacts related to land use and planning. No mitigation would be required.			
4.12 Mineral Resources			
The proposed project would not result in significant adverse impacts related to mineral resources. No mitigation would be required.			
4.13 Noise			
The proposed project would not result in significant adverse impacts related to noise. No mitigation would be required.			
4.14 Population and Housing			
The proposed project would not result in significant adverse impacts related to population and housing. No mitigation would be required.			

Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
4.15 Public Services			
The proposed project would not result in significant adverse impacts related to public services and utilities. No mitigation would be required.			
4.16 Recreation			
The proposed project would not result in significant adverse impacts related to recreation. No mitigation would be required.			
4.17 Transportation			
PDF-1: Hyland Avenue at Northerly Project Driveway. As a project design feature, the Project will install a T-intersection traffic signal with pedestrian crosswalk at the Hyland Avenue/Northerly Project Driveway which will be installed and operational prior to the issuance of a building permit and/or final certificate of use and occupancy.	Director of the City of Costa Mesa Community Development Department, or designee	Prior to the issuance of a building permit and/or final certificate of use and occupancy	
4.18 Tribal Cultural Resources			
TCR-1: Native American Monitoring. Prior to grading, the applicant shall retain a Native American monitor who is traditionally and culturally affiliated with the project vicinity to perform Native American monitoring of all ground disturbance. In addition to the Native American monitor, the	Director of the City of Costa Mesa Community Development	Prior to commencement of	

Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
<p>project applicant shall retain a qualified archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archaeology. The frequency of the monitoring shall be determined by the qualified archaeologist in coordination with the Native American monitor and the City. In the event that tribal cultural resources are unearthed during ground-disturbing activities, the archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the discovery (approximately 100 feet) until the City, the Native American monitor and the qualified archaeologist have evaluated the discovery and determined appropriate treatment. Construction within 100 feet of the tribal cultural resource shall not resume until the qualified archaeologist and the Native American representative have conferred with the City on the significance of the resource. In the event that preservation in place is determined to be infeasible and data recovery through excavation is the only feasible mitigation available, a Tribal Cultural Resources Treatment Plan shall be prepared and implemented by the qualified archaeologist in consultation with the City that provides for the adequate recovery of the scientifically consequential information contained in the tribal cultural resource. The archaeological monitor shall keep daily logs detailing the types of activities and soils observed, and any discoveries. After monitoring has been completed, the qualified archaeologist shall prepare a report that details the results of monitoring for submittal to the City, the South Central Coastal Information Center, and any Native American tribe that requests a copy.</p>	<p>Department, or designee</p>	<p>any ground disturbing activities</p>	
<p>4.19 Utilities and Service Systems</p>			

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The proposed project would not result in significant adverse impacts related to utilities/service systems. No mitigation would be required.			
4.20 Wildfire			
The proposed project would not result in significant adverse impacts related to wildfire. No mitigation would be required.			

