

August 2014 | Mitigation, Monitoring, and Reporting Program

# HARBOR BOULEVARD MIXED USE TRANSIT CORRIDOR PLAN

for City of Santa Ana

*Prepared for:*

**City of Santa Ana**

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# 1. Introduction

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## 1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in the Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2013061027. The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and Insert City Monitoring Requirements. Section 21081.6 states:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
  - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted 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 or responsible agency, prepare and submit a proposed reporting or monitoring program.
  - (2) 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.

## 1.2 PROJECT LOCATION

The project area comprises approximately 425 acres oriented to Harbor Boulevard in Santa Ana in central Orange County. The project area generally includes parcels adjacent to Harbor Boulevard between Westminster Avenue and Lilac Way and parcels along Westminster Avenue, 1st Street, and 5th Street one-half mile east of Harbor Boulevard. The corridor's northern and southern ends are adjacent to the city boundaries of Garden Grove and Fountain Valley, respectively. The project areas consists of two areas 1) an approximately 305-acre portion that directly fronts Harbor Boulevard or perpendicular arterial streets and 2) 120 acres consisting of the Willowick Golf Course and Campesino Park, residential properties along Jackson Street, and commercial properties along 5th Street. The 120-acre area is east of the Harbor Boulevard corridor and abuts the Santa Ana River to the east.

## 1. Introduction

### 1.3 PROJECT DESCRIPTION

The Harbor Boulevard Mixed Use Transit Corridor Plan (Harbor Corridor Plan) would replace the existing 425-acre North Harbor Specific Plan (NHSP). The plan would change the boundaries of the NHSP so that the project would consist of the two separate areas: 1) 305 acres within the boundaries of the existing 425-acre NHSP generally along Harbor Boulevard (“Harbor Corridor Plan” or “Specific Plan”), and 2) 120 acres within the existing NHSP in the Willowick Golf Course area (or “Conventional Zoning Area”). Both of these areas constitute the “project” for purposes of CEQA.

The Harbor Corridor Plan would allow up to 4,623 dwelling units and 1,954,261 square feet of commercial units within four land use districts: Transit Node (TN), Corridor (CDR), Neighborhood Transitional (NT), and Open Space (OS). Buildout would allow for a net increase of 3,884 dwelling units and 13,721 square feet of commercial uses.

The 120-acre Conventional Zoning area would be removed from the NHSP and redesignated to match existing land uses. In this area, the intensity of development is not expected to change and buildout would match the existing uses with 92 dwelling units and 3,700 square feet of commercial space.

A detailed project description is provided in Section 3.3.2, *Description of the Project*, of the DEIR.

### 1.4 ENVIRONMENTAL IMPACTS

The EIR identified adverse impacts that would be potentially significant without mitigation, and recommended mitigation that would eliminate these impacts or reduce them to a less than significant level.

#### 1.4.1 Impacts Considered Less Than Significant Before Mitigation

The CEQA Guidelines have significance thresholds for environmental impacts. Impacts in the following topic areas were identified as less than significant without mitigation in either the Initial Study or the DEIR:

- Aesthetics
- Agriculture and Forestry Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation



## 1. Introduction

### 1.4.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

Impacts in the following topic areas were identified in the DEIR as less than significant after implementation of mitigation measures set forth in the DEIR and listed in Table 3-1:

- Cultural Resources
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Transportation and Traffic
- Utilities and Service Systems

### 1.4.3 Unavoidable Significant Adverse Impacts

Four impacts in the following topic area were identified as significant and unavoidable:

- Air Quality

## 1. Introduction

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## 2. Mitigation Monitoring Process

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### 2.1 MITIGATION MONITORING PROGRAM ORGANIZATION

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the DEIR, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring Program. In order to effectively track and document the status of mitigation measures, a mitigation matrix has been prepared and includes:

- Responsibility for implementation
- Timing
- Responsibility for monitoring
- Monitor

Mitigation measure timing of verification has been apportioned into several specific timing increments. Information pertaining to compliance with mitigation measures or any necessary modifications or refinements will be documented in the comments portion of the matrix.

### 2.2 MITIGATION MONITORING TEAM

#### 2.2.1 City of Santa Ana

The City of Santa Ana Planning and Building Agency is the designated lead agency for the Mitigation Monitoring and Reporting Program. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition. The Planning and Building Agency shall designate a Project Mitigation Monitor for the proposed project.

#### 2.2.2 Recognized Experts

The use of recognized experts as a component of the monitoring team is required to ensure compliance with scientific and engineering mitigation measures. While recognized experts may assess compliance with required mitigation measures, consultation with the City planning staff shall take place in the event of a dispute.

## 2. Mitigation Monitoring Process

### 2.3 ARBITRATION RESOLUTION

If the mitigation monitor identifies a mitigation measure that, in the opinion of the monitor, has not been implemented or has not been implemented correctly, the problem will be brought before the City Planner for resolution. The decision of the City Planner is final, unless appealed to the City Manager. The City Planner will have the authority to issue stop work orders until the dispute is resolved.

### 2.4 ENFORCEMENT

Agencies may enforce conditions of approval through their existing police power, using stop-work orders, fines, infraction citations, loss of entitlements, refusal to issue building permits or certificates of use and occupancy or, in some cases, notice of violation for tax purposes. Criminal misdemeanor sanctions could be available where the agency has adopted an ordinance requiring compliance with the monitoring program, similar to the provision in many zoning ordinances that affirm the enforcement power to bring suit against violators of the ordinances.

## 3. Mitigation Monitoring Requirements

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### 3.1 PRE-MITIGATION MEETING

A pre-monitoring meeting will be scheduled to review mitigation measures, implementation requirements, schedule conformance, and mitigation monitoring committee responsibilities. Committee rules are established, the entire mitigation monitoring program is presented, and any misunderstandings are resolved.

### 3.2 CATEGORIZED MITIGATION MEASURES/MATRIX

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 3-1. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures.

### 3.3 IN-FIELD MONITORING

Project monitors and technical subconsultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g. hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the mitigation monitoring committee.

### 3.4 DATABASE MANAGEMENT

All mitigation monitoring reports, letters, and memos shall be prepared utilizing Microsoft Word software.

### 3.5 COORDINATION WITH CONTRACTORS

The construction manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

### 3.6 LONG-TERM MONITORING

Long-term monitoring related to several mitigation measures will be required, including fire safety inspections. Post-construction fire inspections are conducted on a routine basis by the Orange County Fire Authority.

### 3. Mitigation Monitoring Requirements

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### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>5.2 AIR QUALITY</b>				
<p>2-1 Applicants for new development projects within the Harbor Boulevard Mixed Use Transit Corridor Plan shall require the construction contractor to use equipment that meets the United States Environmental Protection Agency (EPA)-Certified emissions standards according to the following schedule.</p> <ul style="list-style-type: none"> <li>From the end of 2011 to December 31, 2014, all project-related off-road diesel-powered construction equipment greater than 50 horsepower shall meet Tier 3 off-road emissions standards. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine, as defined by CARB regulations.</li> <li>After January 1, 2015, all off-road diesel-powered construction equipment greater than 50 horsepower shall meet the Tier 4 Final emission standards. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 4 diesel emissions control strategy for a similarly sized engine, as defined by CARB regulations.</li> </ul> <p>Prior to construction, the project engineer shall ensure that all demolition and grading plans clearly show the requirement for EPA Tier 3 or higher emissions standards for construction equipment over 50 horsepower. During construction, the construction contractor shall maintain a list of all operating equipment in use on the project site for verification by the Building Safety Division. The construction equipment list shall state the makes, models, and numbers of construction equipment onsite. Equipment shall properly service and maintain construction equipment in accordance with the manufacturer's recommendations. Construction contractors shall also ensure that all nonessential idling of construction equipment is restricted to five minutes or less in compliance with California Air</p>	Project applicant	Prior to grading permits; on-going monitoring during construction	Planning and Building Agency, Building Safety Division	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
Resources Board's Rule 2449.				
<p>2-2 Applicants for new development projects within the Harbor Boulevard Mixed Use Transit Corridor Plan shall require the construction contractor to prepare a dust control plan and implement the following measures during ground-disturbing activities in addition to the existing requirements for fugitive dust control under South Coast Air Quality Management District Rule 403 to further reduce PM10 and PM2.5 emissions. The Building Safety Division shall verify compliance that these measures have been implemented during normal construction site inspections.</p> <ul style="list-style-type: none"> <li>• Following all grading activities, the construction contractor shall reestablish ground cover on the construction site through seeding and watering.</li> <li>• During all construction activities, the construction contractor shall sweep streets with Rule 1186-compliant, PM10-efficient vacuum units on a daily basis if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling.</li> <li>• During all construction activities, the construction contractor shall maintain a minimum 24-inch freeboard on trucks hauling dirt, sand, soil, or other loose materials and tarp materials with a fabric cover or other cover that achieves the same amount of protection.</li> <li>• During all construction activities, the construction contractor shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day.</li> <li>• During all construction activities, the construction contractor shall limit onsite vehicle speeds on unpaved roads to no more than 15 miles per hour.</li> </ul>	Project applicant	Prior to grading permits; on-going monitoring during construction	Planning and Building Agency, Building Safety Division	
2-3 Applicants for new development projects within the Harbor Boulevard Mixed Use Transit Corridor Plan shall require the construction contractor to use coatings and solvents with a volatile organic	Project applicant	Prior to building permits; on-going monitoring during construction	Planning and Building Agency, Building Safety Division	



### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>compound (VOC) content lower than required under Rule 1113 (i.e., super compliant paints). All architectural coatings shall be applied either by (1) using a high-volume, low-pressure spray method operated at an air pressure between 0.1 and 10 pounds per square inch gauge to achieve a 65 percent application efficiency; or (2) manual application using a paintbrush, hand-roller, trowel, spatula, dauber, rag, or sponge, to achieve a 100 percent applicant efficiency. The construction contractor shall also use pre-coated/natural colored building materials, where feasible. Use of low-VOC paints and spray method shall be included as a note on architectural building plans and verified by the Building Safety Division during construction.</p>				
<p>2-4 Applicants of residential developments which are designed to include shared community barbecues shall only install electric powered barbecue units. These units shall be specified on site and building plans and shall be verified by the Building Safety Division prior to issuance of a Certificate of Occupancy.</p>	Project applicant	Prior to issuance of certificate of occupancy	Planning and Building Agency, Building Safety Division	
<p>2-5 Applicant-provided appliances shall be Energy Star appliances (dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star appliances shall be verified by the Building Safety Division during plan check.</p>	Project applicant	Prior to issuance of certificate of occupancy	Planning and Building Agency, Building Safety Division	
<p>2-6 Applicants of residential developments which include garage and/or car port parking shall ensure that garage and/or car port parking are electrically wired to accommodate a Level 2 (240 volt) electric vehicle charging outlet per dwelling unit. The location of the electrical outlets shall be specified on building plans and proper installation shall be verified by the Building Safety Division prior to issuance of a Certificate of Occupancy.</p>	Project applicant	Prior to issuance of certificate of occupancy	Planning and Building Agency, Building Safety Division	
<p>2-7 Applicants of retail, commercial, office, and other non-residential development shall provide Level 2 vehicle charging stations for public use and where feasible, coordinate with the City of Santa Ana to install Level 3 (480 volt or higher) charging stations. The location of the charging station(s) shall be specified on site and building plans</p>	Project applicant	Prior to issuance of certificate of occupancy	Planning and Building Agency, Building Safety Division	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
and proper installation shall be verified by the Building Safety Division prior to issuance of a Certificate of Occupancy.				
<p>2-8 Applicants for non-residential projects within the Harbor Boulevard Mixed Use Transit Corridor Plan, that employ 20 or more people—which is equivalent to 16,000 square feet of retail space or 10,000 square feet of office space—shall implement an employee commute trip reduction (CTR) program. The CTR program shall identify alternative modes of transportation to the project, including transit schedules, bike and pedestrian routes, and carpool/vanpool availability. Information regarding these programs shall be readily available to employees and clients. The project applicant or designee shall consider the following incentives for commuters as part of the CTR program:</p> <ul style="list-style-type: none"> <li>• Rideshare matching assistance through OCTA</li> <li>• Subsidized public transit passes</li> <li>• Vanpool assistance</li> <li>• Car or bike-sharing program</li> <li>• Bicycle end-trip support facilities such as bike storage or lockers.</li> </ul>	Project applicant	Prior to issuance of certificate of occupancy	Planning and Building Agency, Planning Division	
<p>2-9 Applicants of commercial, office, retail, and other non-residential development within the specific plan area shall provide the following features to reduce project-related mobile-source air pollutant emissions:</p> <ul style="list-style-type: none"> <li>• Preferential parking for carpools and vanpools.</li> <li>• Preferential parking for alternative-fuel vehicles (e.g., compressed natural gas or hydrogen).</li> <li>• Secure bicycle parking and storage facilities for visitors.</li> <li>• Commuter information boards identifying bicycle paths and public transit routes and schedules.</li> </ul>	Project applicant	Prior to issuance of building permit	Planning and Building Agency, Planning Division	
<p>2-10 Applicants for residential or residential mixed-use projects within: 1) 1,000 feet from the truck bays of an existing distribution centers that accommodate more than 100 trucks per day, more than 40 trucks with</p>	Project applicant	Prepare HRA prior to approval of any future discretionary residential or	Planning and Building Agency, Building Safety Division, Zoning	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>operating transport refrigeration units, or where transport refrigeration unit operations exceed 300 hours per week; or 2) 1,000 feet of an SCAQMD permitted facility, or an industrial facility which emits toxic air contaminants shall submit a health risk assessment (HRA) prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the South Coast Air Quality Management District (SCAQMD).</p> <p>The HRA shall be submitted to the Zoning Administrator prior to approval of any future discretionary residential or residential mixed-use project. If the HRA shows that the incremental cancer risk exceeds one in one hundred thousand (1.0E-05), PM concentrations would exceed 2.5 µg/m<sup>3</sup>, or the appropriate noncancer hazard index exceeds 1.0, the HRA shall identify the level of high-efficiency Minimum Efficiency Reporting Value (MERV) filter required to reduce indoor air concentrations of pollutants to achieve the cancer and/or noncancer threshold.</p> <p>The Applicant shall be required to install high efficiency MERV filters in the intake of residential ventilation systems, consistent with the recommendations of the HRA. Heating, air conditioning and ventilation (HVAC) systems shall be installed with a fan unit power designed to force air through the MERV filter. To ensure long-term maintenance and replacement of the MERV filters in the individual units, the following shall occur:</p> <ul style="list-style-type: none"> <li>• Developer, sale, and/or rental representative shall provide notification to all affected tenants/residents of the potential health risk for affected units.</li> <li>• For rental units, the owner/property manager shall maintain and replace MERV filters in accordance with the manufacture's recommendations. The property owner shall inform renters of increased risk of exposure to diesel particulates when windows are open.</li> <li>• For residential owned units, the Homeowner's Association (HOA) shall incorporate requirements for long-term maintenance</li> </ul>		<p>residential mixed-use project; Installation of MERV filter requirements and maintenance prior to issuance of building permits</p>	<p>Administrator</p>	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
in the Covenant Conditions and Restrictions and inform homeowners of their responsibility to maintain the MERV filter in accordance with the manufacturer's recommendations. The HOA shall inform homeowners of increased risk of exposure to diesel particulates when windows are open.				

**5.3 CULTURAL RESOURCES**

3-1	<p>Prior to the issuance of grading permits, and for any subsequent permit involving excavation to increased depth, the project applicant for each development or redevelopment project considered for approval pursuant to the Harbor Boulevard Mixed Use Transit Corridor Plan shall provide letters to the City of Santa Ana from a qualified archaeologist and paleontologist (for excavations six feet below ground surface and deeper) who meet the Secretary of the Interior's Professional Qualifications Standards. The letters shall state that the project applicant has retained these individuals, and that the consultant(s) will be on call during all grading and other significant ground-disturbing activities. In the event archeological or paleontological resources are discovered during ground-disturbing activities, the professional archeological or paleontological monitor shall have the authority to halt any activities adversely impacting potentially significant cultural resources until they can be formally evaluated. Suspension of ground disturbances in the vicinity of the discoveries shall not be lifted until the archaeological or paleontological monitor, in coordination with the construction contractor, has evaluated discoveries to assess whether they are significant cultural resources, pursuant to the California Environmental Quality Act (CEQA). If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; they shall be offered for curation or preservation to a repository with a retrievable collection system and an educational and research interest in the materials, such as the Los Angeles County Museum of Natural History or California State University, Fullerton, or other local museum or repository. If no museum or repository is willing to accept the</p>	Project applicant	Prior to issuance of grading permit	Planning and Building Agency, Planning Division	
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### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
resource, the resource shall be considered the property of the City, and may be stored, disposed of, transferred, exchanged, or otherwise handled by the City at its discretion.				
<b>5.6 HAZARDS AND HAZARDOUS MATERIALS</b>				
<p>6-1 Prior to the issuance of demolition permits for any buildings or structures that would be demolished in conjunction with individual development projects that would be accommodated by the Harbor Boulevard Mixed Use Transit Corridor, the project applicant shall conduct the following inspections and assessments for all buildings and structures onsite and shall provide the City of Santa Ana's Planning and Building Agency with a copy of the report of each investigation or assessment.</p> <ul style="list-style-type: none"> <li>The project applicant shall retain a certified lead inspector/assessor to inspect buildings and structures onsite for lead-based paint (LBP). The inspector/assessor's report shall include requirements for abatement, containment, and disposal of LBP, if encountered, in accordance with the State of California Occupational Safety &amp; Health Administration Rule 29 CFR Part 1926.</li> <li>The project applicant shall retain a licensed or certified asbestos consultant to inspect buildings and structures onsite for asbestos-containing materials (ACM). The consultant's report shall include requirements for abatement, containment, and disposal of ACM, if encountered, in accordance with the South Coast Air Quality Management District's Rule 1403.</li> </ul>	Project applicant	Prior to issuance of demolition permit	Planning and Building Agency, Building Safety Division	
<p>6-2 Prior to the issuance of grading permits for new development within the Harbor Boulevard Mixed Use Transit Corridor, the project applicant shall submit a Phase I Environmental Site Assessment (ESA) to identify environmental conditions and determine whether contamination is present. The Phase I ESA shall be prepared by a Registered Professional Engineer and in accordance with the American Society for Testing and Materials (ASTM) Standard E</p>	Project applicant	Submit Phase I ESA prior to issuance of grading permit; Submit remediation documentation prior to issuance of building permit, if needed	Building Official	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>1527.05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. If recognized environmental conditions related to soils are identified in the Phase I ESA, the project applicant shall perform soil sampling as a part of a Phase II ESA. If contamination is found at significant levels, the project applicant shall remediate all contaminated soils in accordance with state and local agency requirements (DTSC, RWQCB, Orange County Fire Authority, etc.). All contaminated soils and/or material encountered shall be disposed of at a regulated site and in accordance with applicable laws and regulations prior to the completion of grading. Prior to the issuance of building permits, a report documenting the completion, results, and any follow-up remediation on the recommendations, if any, shall be provided to the Building Official and the City of Santa Ana's Planning and Building Agency evidencing that all site remediation activities have been completed.</p>				
<b>5.7 HYDROLOGY AND WATER QUALITY</b>				
<p>7-1 Prior to issuance of grading permits for future development projects in the Harbor Corridor Plan, applicants shall submit site-specific hydrology and hydraulic Studies to the Public Works Agency for review and approval. If existing facilities are not adequate to handle runoff generated by the proposed development, then the applicant shall construct storm drain improvements. Storm drain upgrades shall be implemented prior to issuance of occupancy permits.</p>	Project applicant	Prior to issuance of grading permit	Public Works Agency	
<p>7-2 During the design of individual projects, applicants shall minimize impervious area by incorporating landscaped areas over substantial portions of a proposed project area. Furthermore, impervious areas shall be directly connected to landscaped areas or bioretention facilities to promote filtration and infiltration of stormwater. The applicant must comply with the latest Orange County Model Water Quality Management Plan (WQMP).</p>	Project applicant	Prior to issuance of grading permit	Public Works Agency	
<p>7-3 <b>Notice of Intent (NOI).</b> Prior to the issuance of a grading permit for</p>	Project applicant	Prior to issuance of grading	Public Works Agency; City	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>construction sites with a disturbed area of one or more acres, the project applicant shall provide the City Engineer with evidence that a NOI has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed.</p>		<p>permit</p>	<p>Engineer</p>	
<p>7-4 <b>Storm Water Pollution Prevention Plan (SWPPP).</b> Prior to the issuance of grading permits for construction sites with a disturbed area of one or more acres, the project applicant shall prepare a SWPPP that will:</p> <ul style="list-style-type: none"> <li>• Require implementation of best management practices (BMPs) designed with a goal of preventing a net increase in sediment load in stormwater discharges relative to preconstruction levels;</li> <li>• During the construction period, prohibit discharges of stormwater or non-storm water at levels which would cause or contribute to an exceedance of applicable water quality standards contained in the Basin Plan;</li> <li>• Discuss in detail the BMPs planned for the project related to control of sediment and erosion, nonsediment pollutants, and potential pollutants in non-storm water discharges;</li> <li>• Describe post-construction BMPs for the project;</li> <li>• Explain the maintenance program for the project's BMPs;</li> <li>• During construction, require reporting of violations to the Regional Board;</li> <li>• List the parties responsible for SWPPP implementation and BMP maintenance during and after grading. The project proponent shall implement the SWPPP and will modify the SWPPP as directed by the Storm Water Permit.</li> </ul>	<p>Project applicant</p>	<p>Prior to issuance of grading permit</p>	<p>Public Works Agency; City Engineer</p>	
<p>7-5 <b>Water Quality Management Plan (WQMP).</b> Prior to the issuance of precise grading permits, project-specific WQMPs shall be submitted for review and approved by the Public Works Agency. The WQMP</p>	<p>Project applicant</p>	<p>Prior to issuance of precise grading permits</p>	<p>Property Owner</p>	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>shall identify the best management practices (BMPs) that will be used on the site to control predictable pollutant runoff. More specifically, the WQMP shall:</p> <ul style="list-style-type: none"> <li>• Describe the routine and special post-construction BMPs to be used at the proposed development site (including both structural and non-structural measures);</li> <li>• Describe responsibility for the initial implementation and long-term maintenance of the BMPs;</li> <li>• Provide narrative with the graphic materials as necessary to specify the locations of the structural BMPs;</li> <li>• Certify that the project applicant will seek to have the WQMP carried out by all future successors or assigns to the property.</li> <li>• The applicant must comply with the latest Orange County Model Water Quality Management Plan (WQMP).</li> </ul>				
<p>7-6 Prior to the issuance of precise grading permit for any lot or parcel wholly or partially located within the 100-year floodplain, the applicant shall furnish to the Building Official documentation required by FEMA for approval of the Conditional Letter of Map Revision/Letter of Map Revision (CLOMR/LOMR) process. The FEMA for revision to the FIRM and Flood Insurance Study (FIS). The applicant shall pay all preliminary and subsequent fees as required by FEMA.</p>	Project applicant	Prior to issuance of precise grading permit	Building Official	
<b>5.9 NOISE</b>				
<p>9-1 Prior to issuance of a building permit, applicants for new residential development in the Harbor Corridor Plan shall submit an acoustic report prepared to the satisfaction of the Building Official or their designee to ensure that noise levels at outdoor living areas such as private yards, balconies, and park picnic areas shall not exceed 65 dBA CNEL, and all residential habitable rooms would meet the 45 dBA CNEL interior noise standard. These noise studies would need to be submitted after the precise grading and architectural plans are prepared, but prior to issuance of building permits. The required</p>	Project applicant	Prior to issuance of building permit	Planning and Building Agency, Building Safety Division	



### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>exterior noise reduction can be accomplished with sound walls or berms, or by site plan/building layout design. The required interior noise reduction can be accomplished with enhanced construction design or materials such as upgraded dual-glazed windows and/or upgraded exterior wall assemblies. These features shall be shown on all building plans and incorporated into construction of the project. City inspectors shall verify compliance of the building with the acoustic report's recommendations prior to issuance of a Certificate of Occupancy.</p>				
<p>9-2 Prior to issuance of a building permit, applicants for new commercial, office, or retail developments in the Harbor Corridor Plan shall submit an acoustic report prepared to the satisfaction of the Zoning Administrator and Building Official or their designee to ensure that the operation of stationary noise sources (i.e., HVAC units, truck deliveries) would not cause a noise increase of more than 5 dBA over the ambient noise levels at any adjacent property. These noise studies would need to be submitted after the precise grading and architectural plans are prepared, but prior to issuance of building permits. This requirement can be accomplished with selection of quieter equipment, judicious site layouts and equipment positioning, and/or equipment enclosures, sound screening, or parapet walls. These features shall be shown on all building plans and incorporated into the construction of the project. City inspectors shall verify compliance of the building with the acoustic report's recommendations prior to issuance of a Certificate of Occupancy.</p>	<p>Project applicant</p>	<p>Prior to issuance of building permit; prior to issuance of certificate of occupancy</p>	<p>Planning and Building Agency, Zoning Administrator and Building Official or designee</p>	
<p>9-3 Prior to issuance of a building permit, applicants for projects within the Harbor Corridor Plan that involve high-vibration construction activities, such as pile driving or vibratory rolling/compacting, shall be evaluated for potential vibration impacts to nearby sensitive receptors. The project developer shall submit a vibration report prepared to the satisfaction of the City of Santa Ana Building Official or their designee to determine if the use of pile driving and/or vibratory rolling/compacting equipment would exceed the Federal Transit</p>	<p>Project applicant</p>	<p>Prior to issuance of building permit</p>	<p>Planning and Building Agency, Building Official or designee</p>	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Administration's (FTA's) vibration-annoyance criteria of 78 VdB during the daytime or FTA's vibration-induced architectural damage PPV criteria of 0.2 inches/second for wood-framed structures or 0.5 inches/second for reinforced masonry buildings. The construction contractor shall require the use of lower-vibration-producing equipment and techniques. Examples of lower-vibration equipment and techniques would include avoiding the use of vibratory rollers near sensitive areas and/or the use of drilled piles, sonic pile driving, or vibratory pile driving (as opposed to impact pile driving).</p>				
<p>9-4 Prior to issuance of grading permits, the project applicant shall ensure the following notes are included on the grading plan cover sheet, and the construction contractor shall comply with these measures during the duration of all construction activities.</p> <ul style="list-style-type: none"> <li>• Properly maintain and tune all construction equipment to minimize noise.</li> <li>• Fit all equipment with properly operating mufflers, air intake silencers, and engine shrouds, no less effective than as originally equipped by the manufacturer, to minimize noise emissions.</li> <li>• Locate all stationary noise sources (e.g., generators, compressors, staging areas) as far from noise-sensitive receptors as possible.</li> </ul> <p>Material delivery, soil haul trucks, and equipment servicing shall be restricted to the hours between 7:00 AM and 8:00 PM Mondays through Saturdays, and not at all on Sundays or federal holidays.</p>	Project applicant	Prior to issuance of grading permit	Planning and Building Agency, Planning Division	
<p>9-5 Prior to the issuance of grading permits, each project applicant within the project area shall prepare a construction management plan that shall be approved by the City of Santa Ana Public Works. The construction management plan shall:</p> <ul style="list-style-type: none"> <li>• Establish truck haul routes on the appropriate transportation facilities. Truck routes that avoid congested streets and sensitive land uses shall be considered.</li> </ul>	Project applicant	Prior to issuance of grading permit	Public Works Agency	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>• Provide Traffic Control Plans (for detours and temporary road closures) that meet the minimum City criteria. Traffic control plans shall determine if dedicated turn lanes for movement of construction truck and equipment on- and offsite are available.</li> <li>• Minimize offsite road closures during the peak hours.</li> <li>• Keep all construction-related traffic onsite at all times.</li> <li>• Provide temporary traffic controls, such as a flag person, during all phases of construction to maintain smooth traffic flow.</li> </ul>				
<b>5.13 TRANSPORTATION AND CIRCULATION</b>				
13-1 Prior to the issuance of building permits, the project applicant shall evaluate the potential for any neighborhood cut through traffic. Neighborhood cut through traffic shall be minimized through implementation of traffic calming measures as approved by the Public Works Agency.	Project applicant	Prior to the issuance of building permit	Public Works Agency	
13-2 The City of Santa Ana shall implement a program for traffic improvements in the Harbor Corridor Plan. The program shall prescribe the method of participation in the mitigation program by individual projects and guide the timely implementation of mitigation measures. The program shall include the following elements: <ul style="list-style-type: none"> <li>• A funding and improvement program should be established to identify financial resources adequate to construct all identified mitigation measures in a timely basis.</li> <li>• All properties that redevelop within the Harbor Corridor Plan should participate in the program on a fair share per new development trip basis. The fair share shall be based upon the total cost of all identified mitigation measures (see Mitigation Measure 13-3), divided by the peak hour trip generation increase forecast. This rate per peak hour trip should be imposed upon the incremental traffic growth for any new development within the Harbor Corridor Plan.</li> <li>• The project shall raise fund from full development of the Harbor</li> </ul>	City of Santa Ana	On-going monitoring	Public Works Agency	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Corridor Plan to fund all identified mitigation measures.</p> <ul style="list-style-type: none"> <li>• The project shall monitor phasing development of the Harbor Corridor Plan and defer or eliminate improvements if the densities permitted in the Harbor Corridor Plan are not occurring.</li> <li>• Program phasing shall be monitored through preparation of specific project traffic studies for any project that is expected to include more than 100 dwelling units or 100,000 sf of non-residential development. Traffic impact studies should use traffic generation rates that are deemed to be most appropriate for the actual development proposed.</li> <li>• The City may elect to implement appropriate mitigation measures as a condition of approval of the proposed developments, where appropriate. All or part of the costs of these improvements may be considered to be a negotiated credit toward the program, however the program must be administered in a manner that assures that it can fund necessary improvements to maintain adequate level of service at all intersections within the study. If funding of priority improvements cannot be assured, credit for construction of lower priority improvements may not be assured or may be postponed until more program funds are available.</li> </ul>				
<p>13-3 Prior to the issuance of building permits, the project applicant shall participate in the program for traffic improvements in the Harbor Corridor Plan per MM 13-2. The traffic improvement program includes the following improvements:</p> <ul style="list-style-type: none"> <li>• Intersection #26: Fairview Street and 17th Street (Year 2035) <ul style="list-style-type: none"> <li>○ Improvements are to add a northbound through lane.</li> </ul> </li> <li>• Intersection #27: Fairview Street and 1st Street (Year 2035) <ul style="list-style-type: none"> <li>○ Improvements are to add a southbound right-turn lane.</li> </ul> </li> </ul>	Project applicant	Prior to issuance of building permit	Public Works Agency	
<b>5.14 UTILITIES AND SERVICE SYSTEMS</b>				
7-1	Mitigation Measure 7-1 applies.		See <i>Hydrology and Water Quality</i> section, above.	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>14-1 Prior to the first building permit pursuant to the proposed project, the City of Santa Ana shall prepare a "Nexus" Study that will serve as the basis for requiring development impact fees under AB 1600 legislation, as codified by California Code Government Section 66000 et seq. The established procedures under AB 1600 require that a "reasonable relationship" or nexus exist between the water and sewer infrastructure improvements and facilities required to mitigate the sewer impacts of new development pursuant to the proposed project. The sewer segment improvements shown on Table 5.14-11 of the DEIR are necessary to mitigate project impacts and shall be included, among other improvements, in the AB 1600 nexus study.</p>	<p>City of Santa Ana</p>	<p>Prior to issuance of first building permit</p>	<p>Public Works Agency</p>	
<p>14-2 Prior to the issuance of the first building permit pursuant to the proposed project, the City of Santa Ana shall prepare a Development Fee program pursuant to the AB 1600 Nexus Study identified in Mitigation Measure 14-1, above. The Development Fee program would fund the Harbor Corridor Plan area-wide water and sewer infrastructure improvements. The fee program shall stipulate that fees are assessed when there is new construction or when there is an increase in square footage within an existing building or the conversion of existing square footage to a more intensive use. Fees are calculated by multiplying the proposed square footage or dwelling unit by the rate identified. The fees are included with any other applicable fees payable at the time the building permit is issued. The City will use the development fees to fund construction (or to recoup fees advanced to fund construction) of the infrastructure improvements identified in Mitigation Measure 14-1.</p>	<p>City of Santa Ana</p>	<p>Prior to issuance of first building permit</p>	<p>Public Works Agency</p>	
<p>14-3 Prior to the issuance of a grading permit, the project applicant shall prepare water and sewer studies and identify the sizing and location of backbone facilities necessary to serve the proposed project, in accordance with City standards. The water and sewer plans shall be submitted to the City's Public Works Agency for review and approval. Design of facilities that serve the project shall be sufficient to meet the projected service demands.</p>	<p>Project applicant</p>	<p>Prior to issuance of a grading permit</p>	<p>Public Works Agency</p>	

### 3. Mitigation Monitoring Requirements

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## 4. Mitigation Monitoring Reports

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Mitigation monitoring reports are required to document compliance with the Mitigation Monitoring Program and to dispute arbitration enforcement resolution. Specific reports include:

- Field Check Report
- Implementation Compliance Report
- Arbitration/Enforcement Report

### 4.1 FIELD CHECK REPORT

Field check reports are required to record in-field compliance and conditions.

### 4.2 IMPLEMENTATION COMPLIANCE REPORT

The Implementation Compliance Report (ICR) is prepared to document the implementation of mitigation measures on a phased basis, based on the information in Table 3-1. The report summarizes implementation compliance, including mitigation measures, date completed, and monitor's signature.

### 4.3 ARBITRATION/ENFORCEMENT REPORT

The Arbitration/Enforcement Report (AER) is prepared to document the outcome of arbitration committee review and becomes a portion of the ICR.

## 4. Mitigation Monitoring Reports

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## 5. Community Involvement

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Monitoring reports are public documents and are available for review by the general public. Discrepancies in monitoring reports can be taken to the arbitration committee by the general public.

## 5. Community Involvement

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## 6. Report Preparation

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### 6.1 LIST OF PREPARERS

#### City of Santa Ana

Melanie G. McCann, AICP, Associate Planner

#### PlaceWorks

Nicole Morse, Esq., Associate Principal

Ryan Potter, Project Planner

## 6. Report Preparation

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