

Appendix A

MITIGATION MONITORING AND REPORTING PROGRAM

CALVARY CHURCH MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM

Prepared for | City of Santa Ana
Planning and Building Agency
20 Civic Center Plaza
Santa Ana, California 92702

Prepared by | Kimley-Horn and Associates, Inc.
765 The City Drive, Suite 200
Orange, California 92868

Date | June 2018

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that all public agencies establish monitoring and/or reporting procedures for mitigation adopted as conditions of approval in order to mitigate or avoid significant environmental impacts. This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide a vehicle by which to monitor mitigation measures (MMs) outlined in the Calvary Church Master Plan Initial Study/Mitigated Negative Declaration (IS/MND). The Calvary Church Master Plan MMRP has been prepared in conformance with Section 21081.6 of the Public Resources Code and City of Santa Ana Monitoring Requirements. Specifically, 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.

CEQA Guidelines Section 15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during project implementation. The City of Santa Ana is the Lead Agency for the Calvary Church Master Plan Project and is therefore responsible for ensuring the implementation of the MMRP. The MMRP has been drafted to meet the requirements of Public Resources Code Section 21081.6 as a fully enforceable monitoring program.

The MMRP is comprised of the Mitigation Program and includes measures to implement and monitor the Mitigation Program. The MMRP defines the following for each MM:

- **Definition of Mitigation.** The Mitigation Measure contain the criteria for mitigation, either in the form of adherence to certain adopted regulations or identification of the steps to be taken in mitigation.
- **Responsible Party or Designated Representative.** Unless otherwise indicated, an applicant would be the responsible party for implementing the mitigation, and the City of Santa Ana or designated representative is responsible for monitoring the performance and implementation of the mitigation measures. To guarantee that the mitigation will not be inadvertently overlooked, a supervising public official acting as the Designated Representative is the official who grants the permit or authorization called for in the performance. Where more than one official is identified, permits or authorization from all officials shall be required.

- **Time Frame.** In each case, a time frame is provided for performance of the mitigation or the review of evidence that mitigation has taken place. The performance points selected are designed to ensure that impact-related components of project implementation do not proceed without establishing that the mitigation is implemented or ensured. All activities are subject to the approval of all required permits from agencies with permitting authority over the specific activity.

The numbering system in the table corresponds with the numbering system used in the IS/MND. The last column of the MMRP table will be used by the parties responsible for documenting when implementation of the mitigation measure has been completed. The ongoing documentation and monitoring of mitigation compliance will be completed by the City of Santa Ana. The completed MMRP and supplemental documents will be kept on file at the City of Santa Ana Planning and Building Agency, Planning Division.

**CALVARY CHURCH MASTER PLAN
 MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
Air Quality					
<p>MM AQ-1: Dust Control. During construction, the applicant shall require all construction contractors to comply with South Coast Air Quality Management District’s (SCAQMD’s) Rules 402 and 403 in order to minimize construction emissions of dust and particulates. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off site. Rule 402 prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.</p> <p>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 beyond the property line of the emission source. This rule is intended to reduce PM₁₀ emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. This requirement shall be included as notes on the contractor specifications. Table 1 of Rule 403 lists the Best Available Control Measures that are applicable to all construction projects. The measures include, but are not limited to, the following:</p> <ol style="list-style-type: none"> a. Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized. b. All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized. c. All material transported off site will be either sufficiently watered or securely covered to prevent excessive amounts of dust. 	During construction	Best available control measures shown on construction plans Site inspections	Planning and Building Agency		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
<p>d. The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.</p> <p>e. Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the work day to remove soil tracked onto the paved surface.</p>					
<p>MM AQ-2: Architectural Coatings. South Coast Air Quality Management District (SCAQMD) Rule 1113 requires manufacturers, distributors, and end-users of architectural and industrial maintenance coatings to reduce reactive organic gas (ROG) emissions from the use of these coatings, primarily by placing limits on the ROG content of various coating categories. Architectural coatings shall be selected so that the volatile organic compound (VOC) content of the coatings is compliant with SCAQMD Rule 1113. This requirement shall be included as notes on contractor specifications.</p>	Prior to the start of construction	Show on construction plans Site inspections	Planning and Building Agency		
Biological Resources					
<p>MM BR-1: A preconstruction survey for nesting birds shall be conducted by a qualified biologist if clearing and grubbing work is conducted within the bird nesting season (typically February 15 to September 15). If an active nest is discovered, disturbance within an established buffer shall be prohibited until nesting is complete; the buffer distance shall be determined by the biologist in consultation with applicable resource agencies and in consideration of species sensitivity and existing nest site conditions. Limits of avoidance shall be demarcated with flagging or fencing. The biologist shall record the results of the recommended protective measures described above and shall submit a memo summarizing any nest avoidance measures to the City of Santa Ana to document compliance with applicable State and federal laws pertaining to the protection of native birds.</p>	Applicable if during nesting bird season: 7 days prior to construction; avoidance during construction.	Grading Permit review/approval Site inspections	Planning and Building Agency		
Cultural and Tribal Cultural Resources					
<p>MM CR-1: Prior to the issuance of the first grading permit or permit for ground disturbance activities, the applicant shall provide evidence to the City of Santa Ana that a qualified professional (i.e., archaeologist, historian, architect,</p>	Prior to issuance of the first grading permit	Contract with qualified professional	Planning and Building Agency		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
paleontologist, Native American Tribal monitor), has been retained. The selection of the qualified professional(s) shall be subject to the acceptance of the City. In the event that cultural resources (archaeological, historical, paleontological) are inadvertently unearthed during excavation and grading activities of any future development project, the contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The qualified professional shall be contacted to evaluate the significance of the finding and appropriate course of action. If avoidance of the resource(s) is not feasible, salvage operation requirements pursuant to Section 15064.5 of the State CEQA Guidelines shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.	or permit for ground disturbance activities	Site inspections			
MM CR-2: California Health and Safety Code Section 7050.5, CEQA Section 15064.5, and Public Resources Code Section 5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered, disturbance of the site shall be halted until the coroner has conducted an investigation into the circumstances, manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.	During construction	Site inspections	Planning and Building Agency		
Geology and Soils					
MM GEO-1: The project is required to conform to the seismic design parameters of the California Building Code and the California Green Building Standards Code (or applicable adopted code at the time of plan submittal or permit issuance).	At the time of plan submittal or permit issuance	Review of building plans	Planning and Building Agency		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
Greenhouse Gas Emissions					
MM GHG-1: Prior to issuance of building permits, the applicant shall be required to demonstrate to the Planning Division and Building Division that building plans meet the applicable Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (<i>California Code of Regulations</i> [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods.	Prior to the issuance of building permits	Review of building plans	Planning and Building Agency		
MM GHG-2: Prior to issuance of building permits, the applicant shall be required to demonstrate to the Planning and Building Agency, that building plans meet the applicable California Green Building Standards (CalGreen) Code (24 CCR 11).	Prior to the issuance of building permits	Review of building plans	Planning and Building Agency		
Hazards and Hazardous Materials					
MM HM-1: Prior to approval of a demolition permit by the City of Santa Ana, an asbestos survey and a lead-based paint survey shall be conducted pursuant to applicable local, State, and federal laws. All asbestos-containing building materials shall be removed prior to structure demolition. Abatement or paint stabilization techniques shall be applied prior to demolition. Such measures shall include removal and stabilization of loose, flaking or peeling paint. Measures shall be taken to ensure that paint chips are not generated in the demolition process. All work shall be performed by an abatement contractor who is certified by the California OSHA Division of Occupational Safety and Health (DOSH) with properly trained and registered workers. All abatement techniques will be in accordance with DOSH and Environmental Protection Agency (EPA) protocol and also in conformance with South Coast Air Quality Management District rules. All removed asbestos-containing building materials and lead-based paint shall be properly disposed of at a landfill certified to accept said materials, and waste shall be transported under the waste manifest by a certified waste transportation company. Once all of these materials have been removed, structure demolition may commence.	Prior to issuance of demolition or building permits; ongoing during demolition activities	Review and implementation of asbestos and a lead-based paint survey (if required)	Certified abatement contractor; Planning and Building Agency		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
Hydrology and Water Quality					
MM HYD-1: Prior to issuance of any grading or building permit, and as part of the future development’s compliance with the National Pollutant Discharge Elimination System (NPDES) requirements, a Notice of Intent shall be prepared and submitted to the Santa Ana Regional Water Quality Control Board (RWQCB) providing notification and intent to comply with the State of California General Construction Permit. Also, a Stormwater Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Engineering for water quality construction activities on site. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control Best Management Practices (BMPs) to avoid or mitigate runoff pollutants at the construction site to the “maximum extent practicable.” All recommendations in the SWPPP shall be implemented during area preparation, grading, and construction. The applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential storm water runoff impacts.	Prior to issuance of any grading or building permit	Site inspections	Planning and Building Agency		
MM HYD-2: Prior to issuance of a grading permit, the applicant shall prepare, to the satisfaction of the Director of Engineering, a Water Quality Management Plan (WQMP), which includes post-construction Best Management Practices (BMPs) that would be implemented as part of the project, in accordance with the Orange County Drainage Area Management Plan (DAMP), the General MS4 Permit (RWQCB Order No. R8-2009-0030, as amended), and the City of Santa Ana’s Water Quality Ordinance. All BMPs of the WQMP shall be implemented during the operation phase. The applicant shall comply with the BMPs detailed in the WQMP, and other measures as the City deems necessary.	Prior to issuance of a grading permit	Review of the WQMP Site inspections	Planning and Building Agency		
Noise					
MM N-1: All construction activities should be limited to the hours between 8:00 p.m. and 7:00 a.m. on weekdays, including Saturdays, or any time on Sundays or federal holidays. This measure is consistent with the City of Santa Ana Noise Ordinance.	During construction	Site inspections	Planning and Building Agency;		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
<p>MM N-2: The applicant shall ensure through contract specifications that construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of a grading or building permit (whichever is issued first). The construction BMPs shall include the following:</p> <ul style="list-style-type: none"> • Ensure that construction equipment is properly muffled according to industry standards and be in good working condition. • Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible. • Use electric air compressors and similar power tools rather than diesel equipment, where feasible. • Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 5 minutes. <p>Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.</p>	During construction	<p>Include requirements in bid packages; show on construction plans</p> <p>Site inspections</p>	Planning and Building Agency;		
Public Services					
<p>MM PS-1: All development in the City shall comply with the Fire Protection and Prevention and Emergency Services (Chapter 14 of the City’s Municipal Code), which includes the City’s Fire Code. All development shall also comply with the City’s Building Code, which adopts the California Building Code and other codes related to building construction, in order to prevent the creation of fire hazards in the City.</p>	Prior to issuance of any grading or building permit	Review of building plans	Planning and Building Agency		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
Transportation/Traffic					
MM TR-1: In accordance with Chapter 36, Article 5 Truck Routes, of the City of Santa Ana Municipal Code, construction vehicles exceeding a maximum gross weight of three tons shall use designated truck routes to access construction sites. Non-designated truck routes shall be used only as necessary to traverse a street or streets to a destination for the purpose of loading or unloading. The Director of Public Works is authorized to designate streets by appropriate signs as truck routes for the movement of vehicles exceeding a maximum gross weight limit of three tons, where, such designation is required.	Prior to construction and during construction	Site inspections	Public Works Agency		
Utilities and Service Systems					
MM UT-1: In accordance with Section 42649 of the <i>California Public Resources Code</i> (Chapter 12.8 of Part 3 of Division 30), Mandatory Commercial Recycling Regulation, businesses generating more than four cubic yards of commercial solid wastes per week and multi-family residential dwellings of five units or more are required to implement recycling programs and/or arrange for recycling services.	During operations	Review of project plans	Planning and Building Agency		