



Melia 178th Street Townhomes Project Mitigation Monitoring and Reporting Program

September 2019

Lead Agency:

City of Gardena

1700 West 162nd Street
Gardena, California 90247
Raymond Barragan
(310) 217-9500

Consultant:

Kimley-Horn and Associates

765 The City Drive, Suite 200
Orange, California 92868
Rita Garcia
(714) 786-6116

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 Melia 178th Street Townhomes Project Initial Study/Mitigated Negative Declaration (IS/MND). The Melia 178th Street Townhomes Project MMRP has been prepared in conformance with Public Resources Code §21081.6 and City of Gardena (City) monitoring requirements. Specifically, Public Resources Code § 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.*

State CEQA Guidelines §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 Gardena is the Lead Agency for the Melia 178th Street Townhomes Project and is therefore responsible for ensuring MMRP implementation. The MMRP has been drafted to meet Public Resources Code §21081.6 requirements 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 Gardena 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 IS/MND's numbering system. The MMRP table "Verification" column will be used by the parties responsible for documenting when the mitigation measure has been completed. The City of Gardena will complete ongoing documentation and mitigation compliance monitoring. The completed MMRP and supplemental documents will be kept on file at the City of Gardena Community Development Department.

**MELIA 178TH STREET TOWNHOMES PROJECT
 MITIGATION MONITORING AND REPORTING PROGRAM**

CONDITIONS OF APPROVAL (COA) AND MITIGATION MEASURES (MMS)	IMPLEMENTATION TIMING	MONITORING/ REPORTING METHODS	RESPONSIBLE FOR APPROVAL/ MONITORING	VERIFICATION	
				DATE	INITIALS
Biological Resources					
MM – BIO-1: Nesting Migratory Birds. During construction, grubbing, brushing, or tree removal shall be conducted outside of the state identified nesting season for migratory birds (i.e., typically March 15 through September 1), if possible. If construction activities cannot be conducted outside of nesting season, a Pre-Construction Nesting Bird Survey within and adjacent to the Project site shall be conducted by a qualified biologist within three days prior to initiating construction activities. If active nests are found during the Pre-Construction Nesting Bird Survey, a Nesting Bird Plan (NBP) shall be prepared by a qualified biologist and implemented during construction. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, nesting sage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.	Pre- Construction (if not outside of nesting season (September 2 – March 14))	Pre-Construction Nesting Bird Survey	Community Development Manager		
Hazards and Hazardous Materials					
MM – HH-1: Remedial Action Plan (RAP): The City shall not issue any permits except as may be required for the excavation and removal of soil and building demolition until the Los Angeles County Fire Department issues a Conditional No Further Action (Conditional NFA) letter. Once the Applicant has provided a copy of the Conditional NFA letter to the City, the City may issue permits for demolition and grading. The City shall not issue any Building Permit for the Project until it receives a copy of the Los Angeles County Fire Department Final NFA letter.	Prior to Demolition Permit issuance	Issuance of Conditional NFA Letter	Los Angeles County Fire Department and Community Development Manager		
Tribal Cultural Resources					

CONDITIONS OF APPROVAL (COA) AND MITIGATION MEASURES (MMS)	IMPLEMENTATION TIMING	MONITORING/ REPORTING METHODS	RESPONSIBLE FOR APPROVAL/ MONITORING	VERIFICATION	
				DATE	INITIALS
<p>MM – TCR-1: Retain a Native American Monitor/Consultant: Prior to Grading Permit issuance, the Project Applicant shall retain and compensate for the services of a Tribal monitor/consultant who is both approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and listed under the Native American Heritage Commission’s (NAHC) Tribal Contact list for the Project area. The NAHC provides this list. The monitor/consultant shall only be present onsite during the construction phases that involve the following ground-disturbing activities: grading, excavation, and trenching, within the Project area. The Tribal Monitor/consultant shall complete daily monitoring logs that provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the ground-disturbing activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.</p>	<p>Prior to Grading Permit Issuance</p> <p>During Construction Involving Ground-Disturbing Activities (i.e., Grading, Excavation, and Trenching)</p>	<p>Tribal Monitor Agreement</p> <p>Construction Site Monitoring & Completion of Daily Monitoring Logs</p>	<p>Approved Tribal Monitor / Consultant</p> <p>Community Development Manager</p>		
<p>MM – TCR-2: Unanticipated Discovery of Tribal Cultural and Archaeological Resources: Upon discovery of any archaeological resources, construction activities shall cease in the find’s immediate vicinity until the find can be assessed. All archaeological resources unearthed by ground-disturbing activities shall be evaluated by an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archaeology (National Park Service 1983) and tribal monitor/consultant approved by the Gabrieleño Band of Mission Indians-Kizh Nation. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe requests reburial or preservation for educational purposes. Work may continue elsewhere on the Project site while evaluation and, if necessary, mitigation takes place (State CEQA Guidelines §15064.5 [f]). If the archaeologist determines that the resource constitutes a “historical resource” or “unique archaeological resource,” time allotment and funding sufficient to allow for implementation of avoidance measures or appropriate mitigation shall be made available. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines</p>	<p>During Construction, If Unanticipated Discovery of Tribal Cultural and Archaeological Resources Occurs</p>	<p>Tribal Cultural & Archaeological Resource Evaluation</p>	<p>Archaeologist / Approved Tribal Monitor / Consultant</p>		

CONDITIONS OF APPROVAL (COA) AND MITIGATION MEASURES (MMS)	IMPLEMENTATION TIMING	MONITORING/ REPORTING METHODS	RESPONSIBLE FOR APPROVAL/ MONITORING	VERIFICATION	
				DATE	INITIALS
<p>§15064.5(f) for historical resources and Public Resources Code § 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is infeasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to a local school or local historical society for educational purposes.</p>					