

4.0 MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program (MMP), which is provided in **Table 4-1, *Mitigation Monitoring***, has been prepared pursuant to Public Resources Code Section 21081.6, which requires adoption of a MMP for projects in which the Lead Agency has required changes or adopted mitigation to avoid significant environmental effects. The County of Los Angeles is the Lead Agency for the proposed Rowland Heights Plaza and Hotel Project (the Project) and therefore is responsible for administering and implementing the MMP. The decision-makers must define specific monitoring requirements to be enforced during Project implementation prior to final approval of the proposed Project. The primary purpose of the MMP is to ensure that the mitigation measures identified in the Initial Study (IS), and Draft and Final EIR (designated by the respective environmental issue within Chapter 4.0 of the EIR) are implemented, thereby minimizing identified environmental effects. The MMP also includes the proposed Project Design Features (PDFs) identified throughout Chapter 4.0 the Draft EIR. The PDFs are specific design elements proposed by the Applicant that have been incorporated into the Project to prevent the occurrence of or to minimize the significance of potential environmental effects. Because PDFs have been incorporated into the Project, they do not constitute mitigation measures, as defined by Section 15126.4 of the State CEQA Guidelines (Title 14 of the California Code of Regulations). However, PDFs are included in this MMP to ensure their implementation as a part of the Project.

The MMP for the proposed Project will be in place through all phases of the Project, including design (preconstruction), construction, and operation (both prior to and post-occupancy).

Each mitigation measure and/or PDF is categorized by impact area, with an accompanying identification of:

- The phase of the project during which the measure/PDF should be monitored;
 - Pre-construction
 - Construction
 - Prior to occupancy
 - Post-occupancy
- The enforcement agency; and
- The monitoring agency.

**Table 4-1
Mitigation Monitoring Program**

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
				Initial	Date	Comments
4.B AIR QUALITY						
<p>PDF-AQ-1: The Project would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and achieve the equivalent of USGBC LEED® Silver Certification. These measures would also include consistency with the Los Angeles County Green Building Standards and Low Impact Development requirements. The Project would incorporate measures and performance standards which include but are not limited to the following:</p> <ul style="list-style-type: none"> ▪ The Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of nonhazardous construction debris or minimize the generation of construction waste to 2.5 pounds per square foot of building floor area. ▪ The Project would be designed to optimize energy performance and reduce building energy cost by 10 percent for new construction compared to ASHRAE 90.1-2010, Appendix G, and the Title 24 Building Standards Code. ▪ The Project would reduce indoor water use by a minimum of 35 percent by 	<p>Construction Post-occupancy</p>	<p>Los Angeles County Department of Public Works</p>	<p>Los Angeles County Department of Public Works</p>			

Table 4-1 (Continued)

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Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
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installing water fixtures that exceed applicable standards.						
4.C BIOLOGICAL RESOURCES						
<p>MM-BIO-1: Prior to the issuance of any grading permit for permanent impacts in the areas designated as jurisdictional features, the Project Applicant shall obtain a CWA Section 404 permit from the USACE, a CWA Section 401 permit from the RWQCB, and Streambed Alteration Agreement permit under Section 1602 of the California Fish and Game Code from the CDFW. The Project would impact: 1) 0.035 acres of federal wetland, 0.120 acres of USACE drainage, and an additional 0.089 acres of USACE concrete/grouted riprap for a total of 0.209 acres of USACE jurisdictional resources: and 2) 0.316 acres of CDFW drainage, and an additional 0.089 acres of CDFW concrete/grouted riprap for a total of 0.405 acres of CDFW jurisdictional resources.. The following would be incorporated into the permitting, subject to approval by the regulatory agencies:</p> <ul style="list-style-type: none"> ▪ On- or off-site restoration or enhancement of USACE/RWQCB jurisdictional “waters of the U.S.”/“waters of the State” and wetlands at a ratio no less than 1:1 for permanent impacts, and for temporary impacts, restore impact area to pre-Project 	Pre-construction Construction	Los Angeles County Department of Regional Planning	Los Angeles County Department of Regional Planning			

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Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
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<p>conditions (i.e., revegetate with native species, where appropriate). Off-site restoration or enhancement at a ratio no less than 1:1 may include the purchase of mitigation credits at an agency-approved off-site mitigation bank or in-lieu fee program within Los Angeles County.</p> <ul style="list-style-type: none"> On- or off-site restoration or enhancement of CDFW jurisdictional streambed and associated riparian habitat at a ratio no less than 1:1 for permanent impacts, and for temporary impacts, restore impact area to pre-project conditions (i.e., revegetate with native species, where appropriate). Off-site restoration or enhancement at a ratio no less than 1:1 may include the purchase of mitigation credits at an agency-approved off-site mitigation bank or in-lieu fee program within Los Angeles County. 						
<p>MM-BIO-2: Prior to the issuance of any grading permit that would require removal of potential habitat for raptor or other bird nests, the Project Applicant shall demonstrate to the satisfaction of the County of Los Angeles that either of the following have been or will be accomplished:</p> <ul style="list-style-type: none"> Project activities (including, but not limited to, staging and disturbances to 	Pre-construction Construction	Los Angeles County Department of Regional Planning	Los Angeles County Department of Regional Planning			

Table 4-1 (Continued)

Mitigation Monitoring Program

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<p>native and nonnative vegetation, structures, and substrates) should occur outside of the avian breeding season which generally runs from February 1-August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86), and includes take of eggs or young resulting from disturbances which cause abandonment of active nests. Depending on the avian species present, a qualified biologist may determine that a change in the breeding season dates is warranted.</p> <ul style="list-style-type: none"> ▪ If avoidance of the avian breeding season is not feasible, a qualified biologist with experience in conducting breeding bird surveys shall conduct weekly bird surveys beginning 30 days prior to the initiation of Project activities, to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 500 feet of the disturbance area. The surveys should continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of Project activities. If a protected native 						

Table 4-1 (Continued)

Mitigation Monitoring Program

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<p>bird is found, the Project Applicant shall delay all Project activities within 300 feet of on- and off-site suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, Project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate the inside boundary of the buffer of 300 feet (or 500 feet) between the Project activities and the nest. Project personnel, including all contractors working on Site, shall be instructed on the sensitivity of the area. The Project Applicant shall provide the Department of Regional Planning the results of the recommended protective measures described above to document compliance with applicable State and federal laws pertaining to the protection of native birds.</p> <ul style="list-style-type: none"> ▪ If the biological monitor determines that a narrower buffer between the Project activities and observed active 						

Table 4-1 (Continued)

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<p>nests is warranted, he/she shall submit a written explanation as to why (e.g., species-specific information; ambient conditions and birds' habituation to them; and the terrain, vegetation, and birds' lines of sight between the Project activities and the nest and foraging areas) to the Department of Regional Planning and, upon request, the CDFW. Based on the submitted information, the Department of Regional Planning (and the CDFW, if the CDFW requests) will determine whether to allow a narrower buffer.</p> <ul style="list-style-type: none"> ▪ The biological monitor shall be present on Site during all grubbing and clearing of vegetation to ensure that these activities remain within the Project footprint (i.e., outside the demarcated buffer) and that the flagging/stakes/fencing is being maintained, and to minimize the likelihood that active nests are abandoned or fail due to Project activities. The biological monitor shall send weekly monitoring reports to the Department of Regional Planning during the grubbing and clearing of vegetation, and shall notify the Department of Regional Planning immediately if Project activities damage active avian nests. 						

Table 4-1 (Continued)

Mitigation Monitoring Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
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4.D.1 ARCHAEOLOGICAL RESOURCES						
MM-ARCHAEO-1: The Applicant shall retain a qualified archaeologist who meets the Secretary of the Interior’s Professional Qualifications Standards to oversee an archaeological monitor who shall be present during construction excavations such as clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The frequency of monitoring shall be determined by the archaeological monitor based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (native versus fill or young versus old soils), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Excavations into the Puente/Monterey Formation are not required to be monitored by the archaeologist since these sediments are too old to contain archaeological resources. Full-time field observation can be reduced to part-time inspections or ceased entirely if determined adequate by the qualified archaeologist.	Construction	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			
MM-ARCHAEO-2: In the event that archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity	Construction	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			

Table 4-1 (Continued)

Mitigation Monitoring Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
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<p>of the find so that the find can be evaluated. A buffer area of at least 25 feet shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by a qualified archaeologist. The developer shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources if they are determined to be potentially eligible for the California Register or potentially qualify as unique archaeological resources pursuant to CEQA. The treatment plan may include preservation in place (if feasible) and/or the implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. The developer, in consultation with the archaeologist and the County, shall designate repositories that meet State standards to curate the archaeological material recovered. Project material shall be curated in accordance with the State Historical Resources Commission's <i>Guidelines for Curation of Archaeological Collections</i>.</p>						

Table 4-1 (Continued)

Mitigation Monitoring Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
				Initial	Date	Comments
<p>MM-ARCHAEO-3: The archaeological monitor shall prepare a final report at the conclusion of archaeological monitoring. The report shall be submitted by the Applicant or developer to the County, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures. The report shall include a description of resources unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register.</p>	Construction	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			
<p>MM-ARCHAEO-4: If human remains are encountered unexpectedly during implementation of the Project, State Health and Safety Code Section 7050.5 requires that no further disturbance occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). The MLD may, with the permission of the developer, inspect the site of the discovery of the Native American remains and may recommend means for treating or disposing, with</p>	Construction	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			

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Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
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<p>appropriate dignity, the human remains and any associated grave goods. The MLD shall complete inspection and make a recommendation within 48 hours of being granted access by the developer to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.</p> <p>Upon the discovery of the Native American remains, the developer shall ensure that the immediate vicinity where the Native American human remains are located, according to generally accepted cultural or archaeological standards or practices, are not damaged or disturbed by further development activity until the developer has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The developer shall discuss all reasonable options with the descendants regarding the descendants' preferences for treatment.</p> <p>Whenever the NAHC is unable to identify an MLD, or the MLD identified fails to make a recommendation, or the developer or the authorized representative rejects the recommendation of the descendants and the mediation provided for in</p>						

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Mitigation Monitoring Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
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Subdivision (k) of PRC Section 5097.94, if invoked, fails to provide measures acceptable to the Applicant, the developer or the authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.						
4.D.2 PALEONTOLOGICAL RESOURCES						
MM-PALEO-1: A qualified paleontologist shall be retained to develop and implement a paleontological monitoring program for construction excavations that would encounter the Puente/Monterey Formation. The paleontologist shall attend a pre-grading/excavation meeting to discuss a paleontological monitoring program. A qualified paleontologist is defined as a paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. The qualified paleontologist shall supervise a paleontological monitor who shall be present during construction excavations into Puente/Monterey Formation. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The frequency of monitoring inspections shall	Construction	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			

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Mitigation Monitoring Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
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be determined by the paleontologist and shall be based on the rate of excavation and grading activities, proximity to known paleontological resources or fossiliferous geologic formations, the materials being excavated (native sediments versus artificial fill), and the depth of excavation, and if found, the abundance and type of fossils encountered. Full-time field observation can be reduced to part-time inspections or ceased entirely if determined adequate by the qualified paleontologist.						
MM-PALEO-2: If a potential fossil is found, the paleontological monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage. A buffer area of at least 25 feet shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the paleontologist's discretion, and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing and/or removal. Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are curated. Any fossils collected shall be curated at a	Construction	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			

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Mitigation Monitoring Program

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public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. If no institution accepts the fossil collection, they shall be donated to a private research institute or a local school in the area for educational purposes. Accompanying notes, maps, and photographs shall also be filed at the repository.						
MM-PALEO-3: The paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Project Applicant to the Lead Agency and the Natural History Museum of Los Angeles County, and other appropriate or concerned agencies to signify the satisfactory completion of the Project and required Mitigation Measures.	Construction	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			

Table 4-1 (Continued)

Mitigation Monitoring Program

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4.F GREENHOUSE GAS EMISSIONS						
MM-GHG-1: To encourage carpooling and the use of electric vehicles by Project residents and visitors, the Applicant shall pre-wire, or install conduit and panel capacity for, electric vehicle charging stations in 20 percent of on-site parking spaces (a total of 54 of the proposed 271 spaces).	Post-occupancy	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			
4.I NOISE						
PDF-NOISE-1: The Project contractor(s) would equip all construction equipment, fixed and mobile, with properly operating and maintained noise mufflers, consistent with manufacturers' standards	Construction	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			
PDF-NOISE-2: As required by LACC, an acoustical analysis of the mechanical plans of the proposed buildings will be prepared by a qualified acoustical engineer, prior to issuance of building permits, to ensure that all mechanical equipment would be designed to meet noise limits in Table 4.I-7.	Pre-construction	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			
PDF-NOISE-3 As warranted based on ambient CNEL levels at the Project Site, an acoustical analysis of the architectural plans of the proposed hotel buildings will be prepared by a qualified acoustical engineer prior to issuance of building permits to ensure that the building	Pre-construction	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			

Table 4-1 (Continued)

Mitigation Monitoring Program

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construction and design (i.e., exterior wall, window, and door) would include the required noise insulation features to demonstrate land use compatibility.						
MM-NOISE-1: A temporary noise barrier shall be used to block the line-of-sight between construction equipment and the Best Western Plus Executive Inn hotel to the south across Gale Avenue (Location R1) during Project construction. The noise barrier shall be at least 12 feet tall with noise blankets capable of achieving sound level reductions of at least 9 dBA and placed along the southern boundary of active Project construction sites to reduce construction noise at the hotel, and may be combined with security fencing.	Construction	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			
4.K TRANSPORTATION AND PARKING						
PDF-TRAF-1: Prior to the issuance of grading permits, the Project Applicant, in coordination with LACDPW, will prepare a Construction Staging and Traffic Management Plan to be implemented during construction of the Project. The Construction Staging and Traffic Management Plan will identify all traffic control measures, signs, and delineators to be implemented by the construction contractor through the duration of construction activities associated with the Project. The Construction Staging and Traffic Management Plan will also	Pre-construction Construction	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			

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Mitigation Monitoring Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
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consider construction traffic and associated construction traffic noise from nearby simultaneous construction activities and pedestrian safety related to school routes. The Construction Staging and Traffic Management Plan will be subject to final approval by LACDPW.						
PDF-TRAF-2: The Project Applicant will install a three-way traffic signal at the primary Project Site entrance and Gale Avenue (Intersection No. 7), to provide traffic control for westbound/eastbound Gale Avenue and the southbound ingress/egress Project driveway.	Pre-construction Construction	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			
PDF-TRAF-3: The Commercial Center’s maximum permitted occupancy load for all restaurant uses will never exceed 1,561 occupants (including both customer and staff), and total restaurant floor area will not be less than 40,113 square feet nor more than 47,000 square feet. Restaurant occupancy loads will be determined by the County Division of Building and Safety in accordance with the California Building Code in effect at the time when restaurant floor plans are submitted for Director’s Review, as required by the Department of Regional Planning. Restaurant occupancy restrictions will be controlled through the Commercial Center Association’s CC&R. The Commercial Center Association (as maintained by the property manager) will:	Post-occupancy	Los Angeles County Department of Public Works	Los Angeles County Department of Public Works			

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Mitigation Monitoring Program

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<ul style="list-style-type: none"> - Keep records of each restaurant unit's maximum occupancy load; - Track the Commercial Center's total occupancy load; and - Have the authority to enforce each restaurant unit's maximum permitted occupancy load. - Prior to applying for Director's Review, each restaurant unit owner will obtain written authorization from the Commercial Center Association that confirms the occupancy load sought for permit complies with that unit's maximum permitted occupancy in accordance with the CC&R. Restaurant owners will be prohibited from applying for a permit that seeks an occupancy load in excess of what is allowed or building out a unit in excess of that unit's permitted maximum occupancy. - Once the Commercial Center Association has approved restaurant uses within the Commercial Center with a total of 1,561 occupants, no further restaurant uses may be approved by the Commercial Center Association. Occupant loads may be reallocated among restaurant unit owners with the prior approval of the Commercial Center Association (and such approvals from the County and Director's Review as are required by 						

Table 4-1 (Continued)

Mitigation Monitoring Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
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the County), but under no circumstances will the total occupant load for all restaurant uses in the Commercial Center exceed 1,561 occupants.						
<p>MM-TRAF-1: The Project Applicant shall pay a fair-share contribution LACDPW or the City of Industry, as appropriate, to implement the following physical improvements at two intersections that would be potentially significantly impacted by the Project under Future (2020) With Project Plus Cumulative Traffic conditions:</p> <ul style="list-style-type: none"> ▪ Intersection No. 1 (Fullerton Road/Gale Avenue): The Project Applicant shall coordinate with the City of Industry to arrange a fair-share contribution towards the construction of an additional westbound left-turn lane at this intersection. The fair-share contribution shall be made in accordance with Table 8, Project Fair Share Contributions, of the approved Rowland Heights Plaza Traffic Impact Analysis, which requires the Project Applicant to contribute 97.9 percent of the estimated City of Industry cost to implement this improvement. ▪ Intersection No. 3 (Fullerton Road & SR-60 Freeway Eastbound Ramps): The Project Applicant shall coordinate with LACDPW to arrange a fair-share 	Post-occupancy	Los Angeles County Department of Public Works/City of Industry Engineering Department	Los Angeles County Department of Public Works/City of Industry Engineering Department			

Table 4-1 (Continued)

Mitigation Monitoring Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
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contribution towards the construction of a northbound through travel lane at this intersection. The fair-share contribution shall be made in accordance with Table 8, <i>Project Fair Share Contributions</i> , of the approved Traffic Impact Analysis, which requires the Project Applicant to contribute 81.1 percent of the estimated LACDPW cost to implement this improvement.						
4.L.2 WATER SUPPLY						
PDF-WATER-1: The Project will use drought-tolerant and water efficient landscaping in accordance with the County’s Green Building Standards and the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED®) Program, and will use low-flow fixtures (e.g., toilets, urinals, faucets, showerheads, etc.) and smart irrigation controls in accordance with the LEED® Program and Titles 20 and 24 of the CCR.	Operations	Department of Building and Safety	Department of Building and Safety			
PDF-WATER-2: Because existing recycled water pipelines are located in the Project vicinity, the Project Applicant will consult with the Rowland Water District regarding potential use of recycled water for Project Site landscape and irrigation as required by RWD’s Mandatory Recycled Water Connection Policy (Ordinance No. 0-7-2005 as updated by Ordinance No. 0-9-2010).	Operations	Rowland Water District	Rowland Water District			

Table 4-1 (Continued)

Mitigation Monitoring Program

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PDF-WATER-3: The Project Applicant will coordinate with RWD to fund an expansion of RWD’s existing recycled water infrastructure that will enable RWD to provide a minimum of 95 acre-feet per year of additional recycled water service, thereby offsetting the Project’s potable water demand at time of buildout.	Operations	Rowland Water District	Rowland Water District			

