

Appendix L

Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM

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 Environmental Impact Report, 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 and Reporting Program (MMRP).

To implement this MMRP, the City of Ventura will designate a Project Mitigation Monitoring and Reporting Coordinator (“Coordinator”). The coordinator will be responsible for ensuring that the mitigation measures incorporated into the project are complied with during project implementation. The coordinator will also distribute copies of the MMRP to those responsible agencies identified in the MMRP, which have partial or full responsibility for implementing certain measures. Failure of a responsible agency to implement a mitigation measure will not in any way prevent the lead agency from implementing the proposed project.

The following table will be used as the coordinator’s checklist to determine compliance with required mitigation measures.



Mitigation Measure/Condition of Approval	Implementation Responsibility	Timing	Monitoring Division	Funding	Standard for Success	Compliance Verification		
						Initial	Date	Comments
AIR QUALITY								
<p>AQ-2 Construction Air Quality. The Ventura County Air Quality Assessment Guidelines (October 2003) recommend various techniques to reduce construction-related emissions associated with individual developments. Individual developers within the Hospital District, including the Hospital, shall include techniques to limit emissions of both ozone precursors (NO_x and ROC), diesel PM and fugitive dust (PM₁₀) in compliance with AQMD Rule 55 and ARB adopted ATCM (13 CCR § 2449.2). At a minimum, these measures shall include, but not be limited to the following as identified below:</p> <ul style="list-style-type: none"> ▪ Use Tier 2 or Tier 3 engines ▪ Contract with an off-road construction equipment provider that has documented compliance with Air Toxics Control Measure (ATCM) PM reduction goals in response to the California Air Resources Board adopted ATCM (13 CCR § 2449.2) ▪ Minimize equipment idling time. ▪ Maintain equipment engines in good condition and in proper tune as per manufacturers' 								

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specifications. <ul style="list-style-type: none"> ▪ Lengthen the construction period during smog season (May through October), to minimize the number of vehicles and equipment operating at the same time. ▪ Use catalyzed diesel particulate filters and low-sulfur diesel fuel ▪ The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to reduce dust. ▪ Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities. ▪ Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities: <ul style="list-style-type: none"> a) All trucks shall be required to cover their loads as required by California Vehicle Code §23114. b) All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall 								

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<p>include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.</p> <ul style="list-style-type: none"> ▪ Graded and/or excavated inactive areas of the construction site shall be monitored by the City Building Inspector at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe dust control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally-safe dust suppressants, to prevent excessive fugitive dust. ▪ Signs shall be posted on-site limiting traffic to 15 miles per hour or less. ▪ During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree 								

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<p>necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off-site or on-site. The site superintendent/supervisor shall use his/her discretion in conjunction with the APCD in determining when winds are excessive.</p> <ul style="list-style-type: none"> ▪ Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads. ▪ Personnel involved in grading operations, including contractors and subcontractors, should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations. 								
<p>AQ-3(a) Increase Energy Efficiency. For all new construction, increase energy efficiency by 20% beyond Title 24 requirements.</p>	Applicant and Inspection Services Department	Once, prior to occupancy	PCD and Inspection Services Division	Applicant	Verify approval of plans by Inspection Services Division			
<p>AQ-3(b) Air Quality Mitigation Fees. Phase I and II developers within the Hospital District shall contribute fees to the Citywide Transportation Demand Management Program for respective incremental contributions to air quality emissions in excess of 25 lbs/day threshold prior to</p>	Applicant	Once, prior to occupancy	PCD	Applicant	Verification of payment of funding by applicant.			

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occupancy. Fees shall be based and paid in accordance with Ordinance 93-37.								
BIOLOGICAL RESOURCES								
<p>BIO-1 Nesting Birds. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).</p> <p>If avoidance of the breeding bird season is not feasible, the Department recommends that beginning thirty days prior to the disturbance of suitable nesting habitat the project proponent should arrange for weekly bird surveys to detect protected native birds occurring in the habitat that is to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows.</p>	Applicant	If necessary, once, 30 days prior to tree removal, grading or disturbance	PCD	Applicant	If necessary. Verify surveys completed and submittal of results.			

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<p>The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.</p> <p>If a protected native bird is found, the project proponent should delay all clearance/construction disturbance activities within 300 feet of 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.</p> <p>If an active nest is located, clearing and construction 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 when there is no evidence of a second attempt at nesting.</p> <p>Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet (or 500 feet) from the nest. Construction</p>								

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<p>personnel should be instructed on the sensitivity of the area.</p> <p>The project proponent should record 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>								
CULTURAL RESOURCES								
<p>ARCH-1 Pre-Construction Training. Prior to any earth disturbance or grading, a professional archaeologist shall be retained by the developer to address machinery operators and their supervisors by giving an on-site talk to the peoples who will perform the actual earth-moving activities. This will alert the operators to the potential for finding historic or pre-historic cultural resources.</p>	Applicant	As necessary – prior to earthwork	PCD	Applicant	Documentation supporting preconstruction training, such as attendance logs submitted to PCD for compliance verification.			
<p>ARCH-2 Archaeological Resources. Should unanticipated cultural resource remains (cultural resource remains may include artifacts, shell, bone, features, foundations, and trash pits) be encountered during land modification activities, work must cease, and the Planning Director shall be contacted immediately. The developer shall retain a</p>	Applicant	As needed during grading and upon discovery of an unknown archaeological resource during grading	PCD and NAHC	Applicant	<p>Stop work if unknown archaeological resources are found and measures to mitigate are executed.</p> <p>Confirm resources are evaluated by a qualified</p>			

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qualified archaeologist to oversee handling of the resources in coordination with the Ventura County Archaeological Society and Native American organizations as appropriate.					Archaeologist (if necessary)			
ARCH-3 Human Remains. If human remains are discovered during construction-related activities (any permitted action requiring physical digging or grading of a project area using mechanical equipment or hand tools, including core sampling, soil borings, work required for placing caissons or footings, planting trees, disking, grubbing, trenching and installation of poles, underground electrical systems, sewers, water mains, or other utilities, or geological/geotechnical testing) then the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. These procedures require notification of the County Coroner. If the County Coroner determines that the discovered remains are those of Native American ancestry, then the Native American Heritage Commission must be notified by telephone within 24 hours. Sections 5097.94 and 5097.98 of the Public Resources Code describe the procedures to be followed after the notification of	Applicant	As needed during grading and upon discovery of an archaeological resource.	PCD, County Coroner, NAHC	Applicant	Stop work if unknown archaeological resources are found and measures to mitigate are executed. Confirm site evaluated by a county coroner and NAHC representative (if necessary).			

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the Native American Heritage Commission.								
DRAINAGE AND FLOOD HAZARDS								
HYD-1 Storm Drain System Improvements. Phase I redevelopment of the site shall include storm drain infrastructure upgrades necessary to ensure that storm water discharges from Phase I and Phase II redevelopment do not exceed the capacity of existing facilities. Improvements shall include the installation of a 36-inch storm drain in the alley as well as catch basins and additional infrastructure upgrades as necessary, in accordance with the Jensen Design & Survey, Inc. November 2009 report, or as superseded by any subsequent updates. Improvements shall be approved by the Public Works Department, prior to commencement of grading or site improvements.	Applicant and PWD	Once, prior to occupancy	PWD	Applicant	Verify all necessary storm drain improvements are implemented			
NOISE								
N-2 Construction Noise. Though no significant construction-related noise impacts are required, the following noise reduction techniques are recommended to further reduce construction generated noise. Prior to issuance of any Grading, Building Permit or start of construction, the	Applicant and BD	Once prior to grading and/or construction	BD	Applicant	Creation and implementation of the specified noise reduction measures			

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<p>Applicant shall provide, to the satisfaction of the City’s Building Official, a Noise Mitigation and Monitoring Program. Such plan shall ensure that the proposed project provides the following:</p> <ul style="list-style-type: none"> • Construction contracts shall specify that all construction equipment, fixed or mobile, shall to the extent feasible be equipped with mufflers maintained according to manufacturer’s specifications and other state required noise attenuation devices. • Property owners and occupants located within 0.25-mile of the Project construction site shall be sent a notice, at least 15 days prior to commencement of construction, regarding the construction schedule of the proposed Project. A sign, legible at a distance of 50 feet, shall also be posted at the Project construction site. All notices and signs shall be reviewed and approved by the City’s Building Official, prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide the contact name and a telephone number of the Noise Disturbance Coordinator where residents can inquire about the construction process and register complaints. 								

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<ul style="list-style-type: none"> The Applicant shall provide, to the satisfaction of the City's Building Official, a qualified "Noise Disturbance Coordinator" who shall be responsible for receiving, registering, and responding to any complaints about construction noise. When a complaint is received, the Coordinator shall notify the City within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the City's Building Official. All notices that are sent to residential units within 0.25-mile of the construction site and all signs posted at the construction site shall include the contact name and the telephone number for the Disturbance Coordinator. Prior to issuance of a Grading, Building Permit or start of construction, the Applicant shall demonstrate to the satisfaction of the City's Building Official how construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction 								

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<p>equipment staging areas and occupied residential areas, and electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.</p> <ul style="list-style-type: none"> • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers. 								
<p>N-3 Acoustical Analyses. Acoustical analyses shall be conducted for new residential developments within the Hospital District and shall incorporate mitigation necessary to ensure that:</p> <ul style="list-style-type: none"> • Exterior noise in exterior spaces of new residences and other noise sensitive uses that are used for recreation (such as patios and gardens) does not exceed 65 dBA CNEL; and • Interior noise in habitable rooms of new residences does not exceed 45 dBA CNEL with all windows closed. 	Applicant and BD	Twice. Once prior to issuance of a grading permit; once for field verification	PCD and BD	Applicant	Verify exterior usable noise environments are less than 65 dBA CNEL; and that interior habitable noise does not exceed 45 dBA CNEL with the windows closed.			
TRAFFIC AND PARKING								
<p>T-1 Traffic Impact Fees. CMH and any additional developers within the CMH District shall pay applicable City and County traffic impact fees in accordance with adopted policies for fair share ADT attributed to each development. Payment of</p>	Applicant and PWD	Once prior to issuance of building permit or prior to occupancy	PCD and PWD	Applicant	Fees paid			

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fees shall occur prior to issuance of a building permit or prior to occupancy for each developer within the CMH District.								
T-3 Parking Supply. Reuse of the existing hospital building and new buildings proposed on CMH property and within the CMH District would be subject to compliance with the off-street parking requirements. In order to provide adequate parking for each building pursuant to the Parking Demand Rates of the Community Memorial Hospital District Development Code, parking shall be provided (A) on-site or (B) within 1,250 feet of the hospital if a parking availability study for the building(s) indicates that there will be a sufficient amount of parking spaces. Off-site parking located further than 1,250 feet may be allowed if the following conditions are met: (A) the off-site parking is approved by the Community Development Director; (B) a parking availability study confirms that the off-site parking will provide sufficient parking spaces. On- or off-site (whether within 1,250 feet or not) parking management strategies may include a Transportation Demand Management (TDM) Program. Details of the specifics of the TDM program along with the anticipated reductions in parking shall be reviewed and approved by the Community Development	Applicant and PCD/PWD	Twice. Once prior to construction; once for field verification	PCD and PWD	Applicant	Plan check/ Parking Plan shall indicate how parking requirements are met. Applicant to provide proof of parking supply prior to occupancy.			

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Director.								
<p>T-4 Construction Traffic Impact Mitigation Plan. The applicant shall prepare, implement, and maintain a Construction Impact Mitigation Plan, which shall be designed to:</p> <ul style="list-style-type: none"> Prevent material traffic impacts on the surrounding roadway network. Minimize parking impacts both to public parking and access to private parking. Ensure safety for both those constructing the project and the surrounding community. Prevent truck traffic through residential neighborhoods. <p>The Construction Impact Mitigation Plan shall be subject to review and approval by the following City departments: Public Works Department, Fire, Planning and Community Development and Police to ensure that the Plan has been designed in accordance with this mitigation measure. This review shall occur prior to commencement of any construction staging for the project. It shall at a minimum, include the following:</p> <p>Ongoing requirements throughout the duration of construction:</p> <ul style="list-style-type: none"> A detailed traffic control plan for 	Applicant, PCD and PWD	<p>Plan Check once prior to demolition/ground disturbance.</p> <p>Periodic field verification during construction</p>	PCD and PWD	Applicant	Construction Traffic Impact Mitigation Plan is devised and implemented by the applicant during construction			

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<p>work zones shall be maintained which includes at a minimum accurate existing and proposed: parking and travel lane configurations; warning, regulatory, guide and directional signage; and area sidewalks, bicycle lanes and parking lanes. The plan shall include specific information regarding the project's construction activities that may disrupt normal pedestrian and traffic flow and the measures to address these disruptions. Such plans must be reviewed and approved by the Public Works Department prior to commencement of construction and implemented in accordance with this approval.</p> <ul style="list-style-type: none"> • Work within the public right-of-way shall be performed between 9:00 A.M. and 4:00 P.M., including: dirt and demolition material hauling and construction material delivery. • Trucks shall only travel on a City approved construction route. Truck queuing/staging shall not be allowed on City Streets. Limited queuing may occur on the construction site itself. • Materials and equipment should not be visible to the public; the preferred location for materials is to be on-site, without storage in the public right-of-way. 								

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<ul style="list-style-type: none"> Provision of off-street parking for construction workers, which may include the use of a remote location with shuttle transport to the site, if determined necessary by the City. <p>Project Coordination Elements that shall be implemented prior to commencement of construction:</p> <ul style="list-style-type: none"> Advise the traveling public of impending construction activities (e.g. information signs, portable message signs, media listing/notification, implementation of an approved traffic control plan. Timely notification of construction schedules to all affected agencies (e.g. Gold Coast Transit, Police Department, Fire Department, Public Works Department, and Planning and Community Development Department) and to all owners and residential and commercial tenants of property within a radius of 500 feet. Coordination of construction work with affected agencies in advance of start of work. Approval by the Public Works Department of any haul routes, for earth, concrete or construction materials and equipment handling. 								

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GLOBAL CLIMATE CHANGE								
GCC-1 Global Climate Change. The following design features shall be incorporated. <ul style="list-style-type: none"> • New buildings within the Hospital District will have bicycle parking; • The Hospital District includes transit stops for planned routes; • New buildings within the Hospital District will utilize Energy Star roofs and Energy Star appliances; • New buildings within the Hospital District will comply with Title 24 	Applicant PCD	Twice. Once prior to construction and once prior to occupancy	PCD	Applicant	Implementation of specified features			

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