

Table A: Agreement to Implement Mitigation Monitoring and Reporting Program & Regulatory Compliance Measures

Adopted Measures for Project Approval	Period of Compliance			Compliance with Measure Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	
Mitigation Measure (MM)				
MM CUL-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities	X			
MM NOI-1: Construction Vibration Damage	X	X		
Regulatory Compliance Measure (RCM)				
RCM BIO-1: Compliance with Migratory Bird Treaty Act (MBTA)	X	X		
RCM CUL-1: Human Remains		X		
RCM GEO-1: Discovery of Paleontological Resources		X		
RCM WQ-1: Construction General Permit	X			
RCM WQ-2: City of Anaheim Municipal Code	X			
RCM WQ-3: Orange County MS4 Permit	X			
RCM NOI-1: City of Anaheim Noise Ordinance		X		

* = Prior to any ground disturbing activities at the project site

** = Construction is broadly defined to include physical activities associated with construction of a development project including, but not limited to site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction

Table B: Mitigation and Monitoring Reporting Program

Mitigation Measures		Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
4.1: Aesthetics					
The proposed project would not result in significant adverse impacts related to aesthetics. No mitigation is required.					
4.2: Agriculture and Forest Resources					
The proposed project would not result in significant adverse impacts related to agriculture and forest resources. No mitigation is required.					
4.3: Air Quality					
The proposed project would not result in significant adverse impacts related to air quality. No mitigation is required.					
4.4: Biological Resources					
The proposed project would not result in significant adverse impacts related to biological resources. No mitigation is required.					
4.5: Cultural Resources					
MM CUL-1	<p>Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.</p> <p>The property owner/developer or contractor as designee shall provide evidence in the form of an executed Agreement to the City of Anaheim Planning and Building Department that they have retained a qualified Native American tribal monitor to provide third-party monitoring during construction-related ground disturbance activities and to recover and catalogue tribal resources as necessary. The tribal monitor shall be from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The agreement shall include (i) professional qualifications of the Native American monitor; (ii) detailed scope of services to be provided including, but not limited to, pre-construction education, observation, evaluation, protection, salvage, notification, and/or curation requirements, as applicable, with final</p>	Construction contractor and project applicant	Prior to ground disturbing activities associated with construction	Qualified Native American tribal monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation	Considered complete upon approval of the executed agreement by the City of Anaheim Planning and Building Department and provision of contact information for the approved tribal monitor to the City inspector at the pre-construction meeting

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documentation/report to the Public Works Inspector; (iii) contact information; (iv) communication protocols between contractor and monitor for scheduling to facilitate timely performance; (v) acknowledgment that if the tribal monitor is unavailable or unresponsive based on terms stipulated in the agreement, property owner/developer or contractor as designee may contract with another qualified tribal monitor acceptable to the City. The selection of the qualified professional(s) shall be subject to City acceptance based on generally accepted professional qualifications and certifications, as applicable. The cover sheet of the grading plans shall include a note to identify that third party tribal monitoring is required during excavation and grading activities in accordance with the City-approved Agreement. Contact information for the approved tribal monitor shall be provided by the contractor to the City inspector at the pre-construction meeting.				
4.6: Energy				
The proposed project would not result in significant adverse impacts related to energy. No mitigation is required.				
4.7: Geology and Soils				
The proposed project would not result in significant adverse impacts related to geology and soils. No mitigation is required.				
4.8: Greenhouse Gas Emissions				
The proposed project would not result in significant adverse impacts related to greenhouse gas emissions. No mitigation is required.				
4.9: Hazards and Hazardous Materials				
The proposed project would not result in significant adverse impacts related to hazards and hazardous materials. No mitigation is required.				

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Mitigation Measures		Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
4.10: Hydrology and Water Quality					
The proposed project would not result in significant adverse impacts related to hydrology and water quality. No mitigation is required.					
4.11: Land Use and Planning					
The proposed project would not result in significant adverse impacts related to land use and planning. No mitigation is required.					
4.12: Mineral Resources					
The proposed project would not result in significant adverse impacts related to mineral resources. No mitigation is required.					
4.13: Noise					
MM NOI-1	<p>Construction Vibration Damage. Due to the close proximity to surrounding structures, the City of Anaheim (City) Planning and Building Director, or designee, shall verify, prior to issuance of demolition or grading permits, that the approved plans require that the construction contractor shall implement the following measures during project construction activities to ensure that damage does not occur at surrounding structures:</p> <p>Identify structures that are located within 15 feet (ft) of heavy construction activities and that have the potential to be affected by ground-borne vibration. This task shall be conducted by a qualified structural engineer as approved by the City's Planning and Building Director, or designee.</p> <p>Once the construction equipment list finalized, a comparison of the proposed equipment to be used and the assumed equipment vibration levels presented in</p>	City of Anaheim Planning and Building Director, or designee	Prior to issuance of demolition or grading permits	City of Anaheim Director	Considered complete upon issuance of construction permits after review of grading and construction plans by the City of Anaheim Planning and Building Director to ensure that vibration standards are met

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<p>Table 7-4 of the Federal Transit Administration's <i>Noise and Vibration Impact Assessment Manual – FTA Report No. .0123</i> (FTA Manual) shall be completed. If it is determined that the proposed equipment would generate lower vibration levels than assumed, further vibration mitigation would not be necessary. However, if levels would potentially exceed the FTA Damage Criteria presented in Table 7-5 of the FTA Manual, the Applicant shall develop a vibration monitoring and construction contingency plan for approval by the Planning and Building Director, or designee, to identify structures where monitoring would be conducted; set up a vibration monitoring schedule; define structure-specific vibration limits; and address the need to conduct photo, elevation, and crack surveys to document before-and-after construction conditions. Construction contingencies would be identified for when vibration levels approached the limits. If a vibration monitoring and construction contingency plan is deemed necessary, vibration monitoring during initial construction activities would be required. Monitoring results may indicate the need for more or less intensive measurements.</p> <p>When vibration levels approach limits, suspend construction and implement contingencies, as identified in the</p>				

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approved vibration monitoring and construction contingency plan, to either lower vibration levels or secure the affected structures.				
4.14: Population and Housing				
The proposed project would not result in significant adverse impacts related to population and housing. No mitigation is required.				
4.15: Public Services				
The proposed project would not result in significant adverse impacts related to public services. No mitigation is required.				
4.16: Recreation				
The proposed project would not result in any significant adverse impacts related to recreation. No mitigation is required.				
4.17: Transportation				
The proposed project would not result in any significant adverse impacts related to transportation. No mitigation is required.				
4.18: Tribal Cultural Resources				
Refer to Mitigation Measure CUL-1.				
4.19: Utilities and Service Systems				
The proposed project would not result in any significant adverse impacts to utilities and service systems. No mitigation is required.				
4.20: Wildfire				
The proposed project would not result in any significant adverse impacts to wildfire. No mitigation is required.				
4.21: Mandatory Findings of Significance				
Refer to Mitigation Measures CUL-1 and NOI-1.				

Table C: Regulatory Compliance Measures

Regulatory Compliance Measure		Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
4.1: Aesthetics					
No regulatory compliance measures have been proposed in relation to aesthetics or visual impacts.					
4.2: Agriculture and Forest Resources					
No regulatory compliance measures have been proposed in relation to agriculture and forest resources.					
4.3: Air Quality					
No regulatory compliance measures have been proposed in relation to air quality impacts.					
4.4: Biological Resources					
RCM BIO-1	<p>Compliance with Migratory Bird Treaty Act (MBTA).</p> <p>Tree and vegetation removal shall be restricted to outside the active nesting season (January 1 through September 30). If construction is proposed between January 1 and September 30, a qualified biologist familiar with local avian species and the requirements of the MBTA and the California Fish and Game Code shall conduct a pre-construction survey for nesting birds no more than 3 days prior to construction. The survey shall include the entire area that will be disturbed. The results of the survey shall be recorded in a memorandum and submitted to the City of Anaheim (City) Planning and Building Director, or his/her designee, within 48 hours. If the survey is positive, and the nesting species are subject to the MBTA or the California Fish and Game Code, the memorandum shall be submitted to the California Department of Fish and Wildlife (CDFW) to determine</p>	Project applicant/construction contractor	Within the active nesting bird season (February 1 through August 31), no more than 3 days prior to the start of vegetation removal, construction or grading activities	Qualified Biologist	Considered complete upon determination that the nest is no longer active, as determined by the qualified biologist and submittal of survey logs to the City of Anaheim Planning and Building Director

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<p>appropriate action. If nesting birds are present, a qualified biologist shall be retained to monitor the site during initial vegetation clearing and grading, as well as during other activities that would have the potential to disrupt nesting behavior. The monitor shall be empowered to halt construction work in the vicinity of the nesting birds if the monitor believes the nest is at risk of failure or the birds are excessively disturbed.</p>				
4.5: Cultural Resources				
<p>RCM CUL-1 Human Remains. In the event that human remains are encountered on the project site, work within 50 feet of the discovery shall be redirected and the County Coroner notified immediately consistent with the requirements of CCR Section 15064.5(e). Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which shall determine and notify a Most Likely Descendant (MLD). With the permission of the City of Anaheim (City), the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of being</p>	<p>Construction contractor</p>	<p>Prior to issuance of grading permit and during ground disturbing activities</p>	<p>County Coroner</p>	<p>Considered complete upon completion of ground disturbing activities and approval of grading plans by the City of Anaheim</p>

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granted access to the site. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City shall consult with the MLD as identified by the NAHC to develop an agreement for treatment and disposition of the remains. Prior to the issuance of grading permits, the City Engineer, or designee, shall verify that all grading plans specify the requirements of CCR Section 15064.5(e), State Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.					
4.6: Energy					
No regulatory compliance measures have been proposed in relation to energy impacts.					
4.7: Geology and Soils					
RCM GEO-1	Discovery of Paleontological Resources. In the event that Paleontological Resources are encountered during construction, in accordance with Society of Vertebrate Paleontology (SVP) 2010 guidelines, no further disturbance shall occur until a qualified professional paleontologist is notified and retained to evaluate the discovery. The retained paleontologist shall determine the significance of the discovery and determine if additional	Construction contractor	During construction	Qualified professional paleontologist	Considered complete upon completion of ground disturbing activities and any paleontological resources found during construction are prepared, identified, analyzed and permanently curated in an approved regional museum repository

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Regulatory Compliance Measure		Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
mitigation or treatment is warranted. Development in the area of discovery shall resume when the discovered resource is properly documented, and authorization is given to resume construction work. Any significant paleontological resources found during construction monitoring shall be prepared, identified, analyzed and permanently curated in an approved regional museum repository.					
4.8: Greenhouse Gas Emissions					
No regulatory compliance measures have been included in relation to greenhouse gas emissions.					
4.9: Hazards and Hazardous Materials					
No regulatory compliance measures have been included in relation to hazards and hazardous materials.					
4.10: Hydrology and Water Quality					
RCM WQ-1	Construction General Permit. Prior to issuance of a grading permit, the Applicant, or designee, shall obtain coverage under the <i>State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities</i> (Order WQ 2022-0057-DWQ NPDES No. CAS000002) (Construction General Permit). This shall include the submission of Permit Registration Documents (PRDs), including a Notice of Intent (NOI) for coverage under the permit to the State Water Resources Control Board (SWRCB) via the	The project applicant	Prior to issuance of a grading permit	City of Anaheim	Considered complete upon completion of construction and stabilization of the site and the and submission of required documentation to the City of Anaheim

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Regulatory Compliance Measure	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
Stormwater Multiple Application and Report Tracking System (SMARTS). The Applicant shall provide the Waste Discharge Identification Number (WDID) to the City of Anaheim (City) to demonstrate proof of coverage under the Construction General Permit. A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the proposed project in compliance with the requirements of the Construction General Permit. The SWPPP shall identify construction best management practices (BMPs) to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in stormwater runoff as a result of construction activities (e.g., dust control, fiber rolls, and storm drain inlet protection). Construction Site BMPs shall also conform to the requirements specified in the latest edition of the Orange County Stormwater Program Construction Runoff Guidance Manual for Contractors, Project Owners, and Developers to control and minimize the impacts of construction and construction-related activities, materials, and pollutants on the watershed. Upon completion of construction and stabilization of the site, a Notice of Termination will be submitted via SMARTS.				

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Regulatory Compliance Measure		Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
RCM WQ-2	<p>City of Anaheim Municipal Code. Prior to issuance of grading or building permits, the Applicant, or designee, shall submit final project plans to the City for review and approval, which address compliance with the water quality requirements of Title 10 Section 10.09.070, Interagency Cooperation, of the City of Anaheim Municipal Code. The Federal Clean Water Act authorizes the National Pollutant Discharge Elimination System (NPDES) Permit for the Orange County area and provides for cooperative implementation of requirements and interagency allocations of program resources and burdens. The coordinated effort of the County and the Co-Permittees is reflected in the NPDES Permit Implementation Agreement Santa Ana/San Diego Regions, the NPDES Permits, the Drainage Area Management Plan (DAMP), the ordinance codified in this chapter, the appendices to the DAMP, including, but not limited to, the development project guidance, monitoring and data collection cooperation, and regular emergency and spill response planning activities.</p>	The project applicant	Prior to issuance of a grading or building permit	City of Anaheim	Considered complete upon completion of construction and compliance with the water quality requirements of Title 10 Section 10.09.070, Interagency Cooperation, of the City of Anaheim Municipal Code and the and submission of required documentation to the City of Anaheim
RCM WQ-3	<p>Orange County MS4 Permit. Prior to issuance of grading or building permits or prior to recordation upon subdivision of land, the Applicant, or designee, shall submit a Final Water</p>	Project applicant	Prior to issuance of a grading or building permit	City of Anaheim	Considered complete upon approval of the Water Quality Management Plan by the City of Anaheim

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Regulatory Compliance Measure	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
Quality Management Plan (WQMP) to the City of Anaheim, for review and approval, in compliance with the Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and the Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff Orange County, (Orange County MS4 Permit) Order No. R8-2009-0030, NPDES No. CAS618030, as amended by Order No. R8-2010-0062. The Final WQMP shall be prepared consistent with the requirements of the Model Water Quality Management Plan (WQMP), Technical Guidance Document for the Preparation of Conceptual/Preliminary and/or Project Water Quality Management Plans (WQMPs) or subsequent guidance manuals. The Final WQMP shall specify the BMPs to be incorporated into the project design to target pollutants of concern in runoff from the project site. The City Engineer, or designee, shall ensure that the BMPs specified in the Final WQMP are incorporated into the final project design.				
4.11: Land Use and Planning				
No regulatory compliance measures have been included in relation to land use and planning.				
4.12: Mineral Resources				
No regulatory compliance measures have been included in relation to mineral resources.				

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Regulatory Compliance Measure		Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/ Completion Criteria
4.13: Noise					
RCM NOI-1	City of Anaheim Noise Ordinance. The proposed project shall be required to comply with the construction hours specified in the City of Anaheim's (City) Noise Ordinance, which states that construction activities shall only occur between the hours of 7:00 a.m. and 7:00 p.m.	Construction contractor	During construction	Construction contractor	Considered complete upon completion of construction and compliance with the City of Anaheim Noise Ordinance
4.14: Population and Housing					
No regulatory compliance measures have been included in relation to population and housing.					
4.15: Public Services					
No regulatory compliance measures have been included in relation to public services.					
4.16: Recreation					
No regulatory compliance measures have been included in relation to recreation impacts.					
4.17: Transportation					
No regulatory compliance measures have been included in relation to transportation.					
4.18: Tribal Cultural Resources					
Refer to Regulatory Compliance Measure CUL-1.					
4.19: Utilities and Service Systems					
No regulatory compliance measures have been included in relation to utilities and service systems.					
4.20: Wildfire					
No regulatory compliance measures have been included in relation to wildfire impacts.					
4.21: Mandatory Findings of Significance					
Refer to Regulatory Compliance Measures BIO-1, CUL-1, GEO-1, WQ-1 thru WQ-3, and NOI-1.					