

**ANAHEIM FIVE COVES (NORTHERN EXTENSION) PARK PROJECT
MITIGATION MONITORING PLAN NO. 341**

Terms and Definitions:

1. **Property Owner/Developer** – City of Anaheim
2. **Environmental Equivalent/Timing** – Any mitigation measure and timing thereof, subject to the approval of the City, which will have the same or superior result and will have the same or superior effect on the environment. The Planning Department, in conjunction with any appropriate agencies or City departments, shall determine the adequacy of any proposed "environmental equivalent/timing" and, if determined necessary, may refer said determination to the Planning Commission. Any costs associated with information required in order to make a determination of environmental equivalency/timing shall be done by the property owner/developer. Staff time for reviews will be charged on a time and materials basis at the rate in the City's adopted Fee Schedule.
3. **Timing** – This is the point where a mitigation measure must be monitored for compliance. In the case where multiple action items are indicated, it is the first point where compliance associated with the mitigation measure must be monitored. Once the initial action item has been complied with, no additional monitoring pursuant to the Mitigation Monitoring Plan will occur, as routine City practices and procedures will ensure that the intent of the measure has been complied with. For example, if the timing is "to be shown on approved building plans" subsequent to issuance of the building permit consistent with the approved plans will be final building and zoning inspections pursuant to the building permit to ensure compliance.
4. **Responsibility for Monitoring** – Shall mean that compliance with the subject mitigation measure(s) shall be reviewed and determined adequate by all departments listed for each mitigation measure. Outside public agency review is limited to those public agencies specified in the Mitigation Monitoring Plan which have permit authority in conjunction with the mitigation measure.
5. **Ongoing Mitigation Measures** – The mitigation measures that are designated to occur on an ongoing basis as part of this Mitigation Monitoring Plan will be monitored in the form of an annual letter from the property owner/developer in January of each year demonstrating how compliance with the subject measure(s) has been achieved. When compliance with a measure has been demonstrated for a period of one year, monitoring of the measure will be deemed to be satisfied and no further monitoring will occur. For measures that are to be monitored "Ongoing During Construction", the annual letter will review those measures only while construction is occurring; monitoring will be discontinued after construction is complete. A final annual letter will be provided at the close of construction.
6. **Building Permit** – For purposes of this Mitigation Monitoring Plan, a building permit shall be defined as any permit issued for construction of a new building or structural expansion or modification of any existing building, but shall not include any permits required for interior tenant improvements or minor additions to an existing structure or building.

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MITIGATION NUMBER	TIMING	MEASURE	RESPONSIBLE FOR MONITORING	COMPLETION
IV. BIOLOGICAL RESOURCES				
MM BIO-1	Construction will take place from September 15 through March 15.	<p>All construction adjacent to the Five Coves Mitigation Site will be conducted outside of the migratory bird season from February 15 to September 15.</p> <p>To avoid any direct and/or indirect impacts to resident and/or migratory birds, project-related construction activities adjacent to the mitigation site should occur outside of the migratory bird season (February 15 to September 15).</p>	City of Anaheim	
MM BIO-2	For Construction taking place between February 15 and September 15.	<p>For construction activities occurring outside and away from the Five Coves Mitigation Site within the nesting season, a qualified biologist will be contracted by the City of Anaheim to perform a pre-construction survey to determine the presence or absence of nesting birds and nesting raptors on or within 500 feet of the construction area. The pre-construction survey should be conducted no more than 10 calendar days prior to the commencement of construction. If no active nests are detected or project activities occur outside of the avian nesting season, no further action is necessary and construction activities may proceed without biological monitoring requirements. If an active nest is located during pre-construction surveys, the USFWS and/or California Department of Fish and Wildlife (CDFW) (as appropriate) shall be notified regarding the status of the nest. Construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or the agencies deem disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 100 feet around an active raptor nest and a 50-foot radius around an active migratory bird nest) or alteration of the construction schedule. An OCWD biological monitor shall be present during construction activities to maintain the exclusion zones, and to minimize construction impacts and ensure that no nest is removed or disturbed until all young have fledged.</p>	City of Anaheim	

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MM BIO-3	Ongoing during demolition, grading and construction	Ongoing during construction, the City shall stage construction equipment, store materials, and temporarily stockpile soil in previously disturbed areas at least 100 feet from the Five Coves Mitigation Site.	City of Anaheim	
MM BIO-4	Is on the construction plans for installation and ongoing for park maintenance	Prior to construction, the City shall install a 2-foot-wide setback with fencing in locations where the trail is adjacent to the edge of the mitigation site on the final construction plans. The City shall plant and maintain low growing vegetation will be provided within the 2-foot-wide setback area.	City of Anaheim – part of the construction plans	
MM BIO-5	Ongoing during demolition, grading and construction	Ongoing during Project construction and operations, OCWD biological staff shall monitor vegetation within the Five Coves Mitigation Site for signs of plant stress. Plants that are stressed or damaged will be replaced in-kind by the City of Anaheim.	OCWD	
MM BIO-6	Ongoing during construction, plant establishment and park maintenance.	Ongoing during project operation, all maintenance activities within and adjacent to the Five Coves Mitigation Site involving the use noise emitting equipment will occur outside of the migratory bird season from February 15 to September 15.	City of Anaheim	
V. CULTURAL RESOURCES				
MM CUL-1	Ongoing during grading and construction	A known historic resource, P-30-001733, is located within the project area. While the resource has been found ineligible for the CR, its full extent remains unknown, and the potential for the discovery of undisturbed portions of the site, or additional resources, remains. An archaeologist who meets the Secretary of Interior’s Professional Qualification Standards for archaeology shall be present during the initial phase of ground disturbance in order to check for the inadvertent exposure of cultural materials. This may be followed by regular periodic or “spot-check” archaeological monitoring during ground disturbance as needed, but full-time archaeological monitoring is not required at this time. If a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease and workers shall avoid altering the materials until the Archaeologist has evaluated the situation and provided appropriate recommendations. Project workers shall also not collect or remove any cultural resources. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any	City of Anaheim	

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		<p>previously undiscovered resources found during construction activities shall be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria by a qualified archaeologist. If the resource is determined significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan that will capture those categories of data for which the site is significant in accordance with Section 15064.5 of the CEQA Guidelines. The archaeologist shall also perform appropriate technical analyses, prepare a comprehensive report complete with methods, results, and recommendations, and provide for the permanent curation of the recovered resources. The report shall be submitted to the City of Anaheim, the California Historic Resource Information System (CHRIS), and the State Historic Preservation Office (SHPO), if required.</p>		
<p>MM CUL-2</p>	<p>Ongoing during grading and construction</p>	<p>Prior to the start of construction activities that involve subsurface excavation greater than 8 feet in depth, an Orange County Certified Paleontologist acceptable to the City shall be retained to produce a mitigation plan for the Project. The mitigation plan shall identify areas of the Project site where excavations would occur in excess of 8 feet where on-site monitoring would be required. In the event that fossils or fossil-bearing deposits are discovered during construction activities, excavations within a 100-foot radius of the find shall be temporarily halted or diverted. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures to be followed before construction activities are allowed to resume at the location of the find. If the Applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The plan shall be submitted to the City of Anaheim for review and approval prior to implementation, and the Applicant shall adhere to the recommendations in the plan.</p>	<p>City of Anaheim</p>	

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IX. HYDROLOGY AND WATER QUALITY				
MM HYD-1	Ongoing during demolition, grading and construction	The City of Anaheim shall prepare and submit to OCWD a Stormwater Pollution Prevention Plan (SWPPP) that identifies measures to maintain water quality during construction operations. The plan will be filed through the Storm Water Multiple Application and Report Tracking System (SMARTS). The water quality measures shall include silt fencing on the western side of the trail as well as straw wattles in sloped areas to prevent uncontrolled surface water flow into the basin during construction and until vegetation is reestablished. Approval of the plan from OCWD will be obtained prior to submittal of the document to the Regional Water Quality Control Board.	City of Anaheim	
MM HYD-2	Prior to demolition	Notice of Intent and SWPPP shall be filed with the Regional Water Quality Control Board. This requirement for filing the Notice of Intent and SWPPP shall be included in the plans and specifications for the Project.	City of Anaheim	
MM HYD-3	Prior to demolition	Prior to the start of construction operations, the City shall prepare and submit to OCWD a plan that shows the location and when the structural and non-structural Best Management Practices (BMPs) would be implemented at the Project site.	City of Anaheim	
MM HYD-4	Ongoing during construction, plant establishment and park maintenance	In the event the proposed permeable asphalt trail surface and the proposed bio swale system create a prolonged water ponding condition, the City shall coordinate with OCWD and implement additional measures to prevent the ponding of water and to ensure that the Project provides adequate drainage.	City of Anaheim	

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XII. NOISE				
MM NOI-1	Ongoing during demolition, grading and construction	<p>Implementation of the following multi-part mitigation measure is required to reduce potential construction period noise impacts:</p> <ul style="list-style-type: none"> • The construction contractor shall ensure that all equipment driven by internal combustion engines shall be equipped with mufflers and intake silencers no less effective than originally equipped. • At all times during project grading and construction, the construction contractor shall ensure that stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from adjacent residences. • The project contractor shall utilize portable noise barriers anytime “heavy” construction equipment (typically defined as greater than 250 horse power) operates within 100 feet of existing residences. • The construction contractor shall limit all noise producing construction activities, including deliveries and warming up of equipment, to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday. 	City of Anaheim	
XVI. TRANSPORTATION AND TRAFFIC				
MM TRANS-1	Ongoing during construction, plant establishment and park maintenance	<p>Installation of signage along the trail/bike areas to minimize any potential issues between motorized and non-motorized park users.</p> <p>Prior to operation of the park, signage shall be installed in the trail entry areas in the vicinity of the park entrances on Lincoln Avenue, Armando Street, Frontera Street, and on each of the tunnel entrances. Appropriate signage will help to ensure that all potential users of the park facilities are aware that maintenance activities and vehicles may be encountered within the park. Signage will be subject to OCWD approval prior to the operation of the park. The signs shall also notify maintenance vehicle operators that the area is in use by pedestrians, bicyclists, and equestrians. The signs should consist of four (4) regulatory/warning signs to:</p> <ul style="list-style-type: none"> • Caution park users to watch for maintenance vehicles • Prohibit motorized vehicles (except for maintenance vehicles) to access the trail/bikeway area • Indicate hierarchy of “trail courtesy” • Identify the trail/bikeway 	City of Anaheim	

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MM TRANS-2	Ongoing during construction, plant establishment and park maintenance	<p>Installation of signage, lighting, and a traffic signal in the Lincoln Avenue underpass tunnel to minimize any potential issues between motorized and non-motorized park users.</p> <p>Prior to operation of the park, signage shall be installed at both ends of the trail, as described in MM TRANS-1. Appropriate signage will help to ensure that all potential users of the park facilities are aware that maintenance activities and vehicles may be encountered within the park. The signs shall also notify maintenance vehicle operators that the area is in use by pedestrians, bicyclists, and equestrians. Additionally, lighting will be installed in the tunnel to provide illumination at night. A traffic signal that can be operated with the push of a button will either indicate “stop” or “go” in order to allow only pedestrians, bicyclists, and equestrians or maintenance vehicles in the tunnel at one time. Signage and improvements are subject to OCWD approval prior to the operation of the park.</p>	City of Anaheim	
XVII. TRIBAL CULTURAL RESOURCES				
MM TRIBAL-1	Prior to issuance of a grading permit	<p>Prior to issuance of a grading permit, The Property Owner/Developer shall provide grading plans to the designated representative of the Gabrieleno Band of Mission Indians—Kizh Nation for review. If the Gabrieleno Band of Mission Indians—Kizh Nation determines upon review of the grading plans that they would like to have a monitor present during ground-disturbing activities for the project, appropriate scheduling and accommodation would be made for a qualified tribal monitor from the Gabrieleno Band of Mission Indians—Kizh Nation to monitor the site and work cooperatively with the project archaeologist during ground-disturbing activities to identify and protect any potential tribal cultural resources discovered on-site.</p>	City of Anaheim	

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STANDARD CONDITION NUMBER	TIMING	CONDITION	RESPONSIBLE FOR MONITORING	COMPLETION
AIR QUALITY				
SC-4.3-1	Ongoing during demolition, grading and construction	<p>All construction contractors shall comply with South Coast Air Quality Management District (SCAQMD) regulations, including Rule 403, Fugitive Dust. All grading (regardless of acreage) shall apply best available control measures for fugitive dust in accordance with Rule 403. To ensure that the Project is in full compliance with applicable SCAQMD dust regulations and that there is no nuisance impact off the site, the contractor would implement each of the following:</p> <ul style="list-style-type: none"> • Moisten soil not more than 15 minutes prior to moving soil or conduct whatever watering is necessary to prevent visible dust emissions from exceeding 100 feet in any direction. • Apply chemical stabilizers to disturbed surface areas (completed grading areas) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface. • Water excavated soil piles hourly or covered with temporary coverings. • Water exposed surfaces at least twice a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site. • Wash mud-covered tires and under-carriages of trucks leaving construction sites. • Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites. • Securely cover loads with a tight fitting tarp on any truck leaving the construction sites to dispose of debris. • Cease grading during period when winds exceed 25 miles per hour. 	City of Anaheim	