
Attachment A

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Public Resources Code Section 21081.6(a)(1) requires a Lead Agency that approves or carries out a project, where an environmental impact report has identified significant environmental effects, to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.”

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared to provide for the monitoring of mitigation measures required of the Fullerton Housing Incentive Overlay Zone Program (HIOZ or Program), as set forth in the Final Program Environmental Impact Report (Final PEIR). The City of Fullerton (City) is the Lead Agency that must adopt the MMRP for future development under the Project. The MMRP will be kept on file with the City of Fullerton Community and Economic Development Department, 303 West Commonwealth Avenue, Fullerton, California 92832.

Table 1 presented below, which constitutes the monitoring and reporting program, lists all mitigation measures (and conditions of approval) that are contained in the Final PEIR. For each listed mitigation measure (and condition of approval), the table identifies the following:

- PEIR section title (Environmental Factor) where the mitigation measure is contained.
- Mitigation measure number and content
- Actions required to comply with the mitigation measure
- Timing of implementation/monitoring for the mitigation measure
- Responsible agency or party responsible for implementing/reporting
- Monitoring agency or party responsible for verifying compliance

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Table 1. Mitigation Monitoring and Reporting Program

Mitigation Number	Mitigation Measure	Implementation		Monitoring		Verification of Compliance		
		Responsibility	Timing	Responsibility	Timing	Initials	Date	Remarks
MM-AQ-1.	<p><i>Construction Emissions.</i> If during subsequent project-level environmental review, construction-related criteria air pollutants are determined to have the potential to exceed SCAQMD’s construction mass daily thresholds, the City shall require applicants for new projects that exceed those thresholds to incorporate appropriate measures to reduce or minimize air pollutant emissions during construction activities. New projects are required to comply with all applicable SCAQMD rules and regulations, including but not limited to Rule 403 (Fugitive Dust), Rule 1113 (Architectural Coatings), and Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). Additional measures for projects that exceed SCAQMD’s construction mass daily thresholds may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ Off-Road construction equipment with engines that are 50 horsepower or greater shall be rated by the USEPA as having Tier 4 emission limits or better (whichever is the cleanest technology available at time of project development). If it can be demonstrated to the City that such equipment is not commercially available or feasible, alternate emissions control devices and/or techniques used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 4 diesel emissions control strategy for a similarly sized engine, as defined by the California Air Resources Board’s regulations. ▪ Use electric or alternative-fueled (i.e., non-diesel) construction equipment, if available and feasible, including but not limited to, concrete/industrial saws, pumps, aerial lifts, material hoist, air compressors, forklifts, excavator, wheel loader, and soil compactors. ▪ Maintain records of all trucks associated with project construction activities to document that each truck used meets the required emission standards. The Applicant shall provide records for inspection within five business days of request by CARB, SCAQMD, or the City. ▪ Provide electric vehicle (EV) charging stations or appropriately sized electrical infrastructure and electrical panels. Electrical hookups should be provided for trucks to plug in any onboard auxiliary equipment. ▪ Provide temporary traffic controls such as a flag person, during all phases of significant construction activity to maintain smooth traffic flow, where necessary. ▪ Provide dedicated turn lanes for the movement of construction trucks and equipment on- and off-site, where applicable. ▪ Ensure vehicle traffic inside the project site is as far away as feasible from sensitive receptors. 	<ul style="list-style-type: none"> ▪ Project Applicant(s); Construction Contractor(s) 	Prior to the issuance of a grading permit; During Construction	City of Fullerton Community and Economic Development Department	Prior to the issuance of a grading permit; During Construction			

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	<ul style="list-style-type: none"> ▪ Reduce traffic speeds on all unpaved roads to 15 miles per hour (mph) or less. ▪ Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph. ▪ Suspend use of all construction activities that generate air pollutant emissions during first stage smog alerts. ▪ Configure construction parking to minimize traffic interference. ▪ Cover all trucks hauling dirt, sand, soil, or other loose materials. ▪ Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site for each trip. ▪ Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more). ▪ Replace ground cover in disturbed areas as quickly as possible to minimize dust. ▪ Pave roads and road shoulders, where applicable. ▪ Sweep streets at the end of the day with SCAQMD Rule 1186 and 1186.1 compliant sweepers if visible soil is carried onto adjacent public paved roads (recommend water sweepers that utilize reclaimed water). ▪ Utilize only super-compliant volatile organic compound (VOC) paints for architectural coatings (0 grams per liter to less than 10 grams per liter VOC) during construction activities. If paints and coatings with VOC content of 0 grams/liter to less than 10 grams/liter cannot be utilized, the application of architectural coatings shall be prohibited during the peak smog season: July, August, and September. <p>Prior to the issuance of a grading permit, the applicant shall provide the City with the construction contractor's inclusion of all required measures on applicable construction plans, including grading and/or building plans.</p>							
MM-AQ-2	<p><i>Operational Emissions.</i> If, during subsequent project-level environmental review, operation-related criteria air pollutants are determined to have the potential to exceed SCAQMD's operation mass daily thresholds, the City shall require applicants for new projects that exceed those thresholds to incorporate appropriate measures to reduce or minimize air pollutant emissions during operational activities. New projects facilitated by the Fullerton Housing Incentive Overlay Zone are required to comply with all applicable SCAQMD rules and regulations, including but not limited to Rule 445 (Wood Burning Devices), Rule 1401 (New Source of Toxic Air Contaminants), and Rule 1110.2 (Emissions from Gaseous-</p>	<ul style="list-style-type: none"> ▪ Project Applicant(s) 	Prior to the issuance of a Certificate of Occupancy	City of Fullerton Community and Economic Development Department	Prior to the issuance of a Certificate of Occupancy; Review of Project plans and specifications			

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	<p>and Liquid-Fueled Engines). Additional measures for projects that exceed SCAQMD's operation mass daily thresholds may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ All the Program's buildings shall be powered fully by electricity, with no natural gas infrastructure or appliances, including no fireplaces. Prior to the issuance of building permits, the Program Applicant or its designee shall provide evidence to the City that the building design plans include no natural gas infrastructure. ▪ Install Energy Star rated heating, cooling, lighting, and appliances. ▪ Require the use of Heating, Ventilation and Air Conditioning (HVAC) equipment with a Seasonal Energy Efficiency Ratio (SEER) of 12 or higher. ▪ Install of water heaters with an energy factor of 0.92 or higher. ▪ Install solar water heaters or tank-less water heaters. ▪ Use passive solar cooling/heating. ▪ Designate 10% of parking spaces to be for electric and alternative fuel vehicles. ▪ Install Level 2 electric vehicle charging stations in 6% of all parking spaces. ▪ Super-Compliant volatile organic compound (VOC)-content architectural coatings (0 grams per liter to less than 10 grams per liter VOC) shall be used during operational application of paints and other architectural coatings to reduce ozone precursors for future development projects. If paints and coatings with VOC content of 0 grams/liter to less than 10 grams/liter cannot be utilized, the developer shall avoid application of architectural coatings during the peak smog season: July, August, and September. ▪ The City shall develop and implement a Low-VOC/Green Cleaning Product and Paint education program, including materials educating how to identify low-VOC cleaners and products, that can be provided to applicants, developers, tenants, and residents of development projects associated with the Program. ▪ At the time of discretionary approval of new sources of TAC emissions in close proximity to existing sensitive land uses, the City shall require development projects to implement applicable best management practices, as necessary and feasible, that will reduce exposure to TACs. Specific reduction measures will be evaluated and determined depending on proposed land use TAC sources and feasibility. 							

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	Prior to the issuance of a Certificate of Occupancy, the applicant shall provide the City with appropriate documentation verifying compliance with the required measures.							
MM-AQ-3	<i>Revised Forecast.</i> Prior to SCAG’s next update to the Regional Housing Needs Assessment, the City shall prepare a revised population, employment and housing forecast for SCAG that reflects anticipated growth generated from the proposed Program. The updated forecast provided to SCAG shall be used to inform the SCAQMD’s update to the Regional Air Quality Strategy and State Implementation Plan. The City shall prepare and submit a letter notifying the SCAQMD of this revised forecast for use in the future update to the RAQS and SIP as required.	<ul style="list-style-type: none"> City of Fullerton Community and Economic Development Department 	Prior to SCAG’s next update to the Regional Housing Needs Assessment	City of Fullerton Community and Economic Development Department	Prior to SCAG’s next update to the Regional Housing Needs Assessment			
MM-HAZ-1	<i>Hazardous Materials Survey.</i> Demolition plans and contract specifications submitted to the City for approval shall incorporate survey and abatement procedures for the identification and removal of materials containing asbestos, lead, polychlorinated biphenyls, hazardous material, hazardous wastes, and universal waste items, including decommissioning and removal of aboveground and underground storage tanks and drums. All survey and abatement work shall be done in accordance with federal, state, and local regulations, including those of the U.S. Environmental Protection Agency (which regulates disposal), Occupational Safety and Health Administration, U.S. Department of Housing and Urban Development, California Occupational Safety and Health Administration (which regulates employee exposure), and the South Coast Air Quality Management District. Surveys will be conducted by an environmental professional certified by California Department of Public Health [lead-based paint] and/or Contractors State License Board [asbestos], and abatement shall be completed by a California-Certified or Licensed Contractor prior to demolition or renovation activities. Transportation of hazardous wastes must also be completed by a licensed transportation company in accordance with federal, state, and local regulations, and disposal will be completed at a permitted facility.	<ul style="list-style-type: none"> Project Applicant(s); Construction Contractor(s) 	Prior to submittal of demolition plans and contract specifications	City of Fullerton Community and Economic Development Department	Review of demolition plans and specifications			
MM-HAZ-2	<i>Survey for Oil and Gas Features.</i> Prior to approval of residential redevelopment for a site within the Program Planning Area (e.g. issuance of permits), a survey will be completed to confirm the presence or absence of oil and gas wells, pipelines, or oil/gas field administrative boundaries on the proposed development site. The survey will also evaluate the proposed development site’s proximity to methane zones as outlined in the OCFA Combustible Soil Gas Hazard Mitigation Guideline C-03. The survey will include review of publicly available documents and databases, aboveground visual inspections, and subsurface	<ul style="list-style-type: none"> Project Applicant(s); Construction Contractor(s) 	Prior to approval of residential redevelopment for a site within the Program Planning Area (e.g. issuance of permits)	City of Fullerton Community and Economic Development Department	Prior to the issuance of permits			

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	surveys (such as ground-penetrating radar or other means of subsurface locates). The survey(s) will be completed by a professional company with experience in these types of surveys. Proof of survey completion will be submitted to City of Fullerton as part of the application package.							
MM-HAZ-3	<i>Investigation of RECs, CRECs, and VECs.</i> Following completion of a Phase I ESA and prior to approval of residential redevelopment for a site within the Program Planning Area (e.g. issuance of permits), any RECs, CRECs, or VECs identified in the Phase I ESA will be investigated by completion of a Phase II ESA under the requirements of ASTM E1903-19 (or the current applicable standard). The Phase II ESA will evaluate the presence of contaminants of concern related to RECs, CRECs, and/or VECs found in the Phase I ESA and will include a screening level risk evaluation to determine human health risks are present (i.e. if concentrations exceed current regulatory screening levels applicable at the time of the project (DTSC Screening Levels or RWQCB ESLs)). The investigation shall include consideration of aeri ally deposited lead (ADL) adjoining state highways and overpasses. The findings of the Phase II ESA and recommendations will be provided to the City for review prior to approval of residential development.	<ul style="list-style-type: none"> Project Applicant(s); Construction Contractor(s) 	Following completion of a Phase I ESA and prior to approval of residential redevelopment for a site within the Program Planning Area (e.g. issuance of permits)	City of Fullerton Community and Economic Development Department	Review of Phase II ESA; prior to issuance of permits			
MM-HAZ-4	<i>Actions for Contaminated Sites.</i> If human health risks are identified (e.g. concentrations of contaminants of concern are above applicable regulatory screening levels) during a Phase I ESA or Phase II ESA that would indicate a risk to residential occupancy or would expose construction workers to contaminants of concern above applicable screening levels, the impacts must be remediated or protections must be in place such that future risk to construction workers, adjacent sensitive receptors, future occupants, or future land uses on site are below current risk-based criteria (e.g. applicable regulatory screening levels). Written proof of remediation and/or protective measures would be submitted to the City prior to approval for residential redevelopment (e.g. issuance of permits).	<ul style="list-style-type: none"> Project Applicant(s); Construction Contractor(s) 	If human health risks are identified (e.g. concentrations of contaminants of concern are above applicable regulatory screening levels) during a Phase I ESA or Phase II ESA that would indicate a risk to residential occupancy or would expose construction workers to contaminants of concern above applicable screening levels	City of Fullerton Community and Economic Development Department	Review of remediation and/or protective measures; Prior to issuance of permits			
MM-HAZ-5	<i>Conditions of Closure.</i> Prior to approval of residential redevelopment for a site within the Program Planning Area (e.g. issuance of permits), if the proposed development site is located on a site that has received regulatory environmental cleanup, review, or assessment and has received regulatory closure by the overseeing environmental agency (federal, state, or local), the closure documents shall be reviewed and conditions or limitations, if any, shall be met. If conditions indicate a risk or limitations to future residential development, requirements from the regulatory agency will be implemented and proof of	<ul style="list-style-type: none"> Project Applicant(s); Construction Contractor(s) 	If the proposed development site is located on a site that has received regulatory environmental cleanup, review, or assessment and has received regulatory closure by the overseeing environmental agency (federal, state, or local)	City of Fullerton Community and Economic Development Department	Review of closure documents; Prior to approval of residential redevelopment for a site within the Program Planning Area (e.g. issuance of permits)			

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	implementation will be provided to the City prior to approval for redevelopment (e.g. issuance of permits).							
MM-TCR-1	<p><i>Tribal Cultural Resources.</i> During subsequent project-level environmental review, the City shall obtain a State of California Native American Heritage Commission (NAHC) Sacred Land Files Search, as appropriate, and comply with all applicable requirements of AB 52. Pursuant to AB 52, the City shall provide formal notification of the project to designated contact of each traditionally and culturally affiliated California Native American Tribe that has requested notice. The City shall begin the consultation process within 30 days after receiving a Tribe’s request for consultation. The City shall consider all relevant information available for the property to identify potential tribal cultural resources in the project area, evaluate the project’s potential impacts to tribal cultural resources, and mitigate those potential impacts.</p> <p>If project impacts to tribal cultural resources are determined to be potentially significant, the City shall require the project to incorporate appropriate measures to avoid or minimize impacts to tribal cultural resources, including but not limited to, the measures recommended in Public Resources Code Section 21084.3, tribal monitoring, or other alternative measures identified in consultation with the California Native American Tribe.</p> <p>If any cultural resources (archaeological, historical, paleontological) are identified in the preparation of a Phase I Cultural Resources Study (see COA-CR-1) or are inadvertently unearthed during excavation and grading activities (see COA-CR-3), the City shall consult and coordinate with a Native American Tribal monitor who is traditionally or culturally affiliated with the geographic area of the development project that will help analyze the Native American artifacts for identification and to evaluate and mitigate impacts in accordance with the requirements set forth in COA-CR-1 through COA-CR-4.</p>	<ul style="list-style-type: none"> City of Fullerton Community and Economic Development Department 	During subsequent project-level environmental review, the City shall obtain a State of California Native American Heritage Commission (NAHC) Sacred Land Files Search	City of Fullerton Community and Economic Development Department	Comply with all applicable requirements of AB 52			
Conditions of Approval								
COA-AES-1	For future development located in or immediately adjacent to residentially zoned properties, construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. Construction equipment shall be parked and staged within the project site, as distant from the residential use, as reasonably possible. Staging areas shall be screened from view from residential properties.	<ul style="list-style-type: none"> Project Applicant(s) 	During pre-construction and construction	City of Fullerton Community and Economic Development Department	Review and approval of construction documents; periodic site inspections during construction			

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COA-AES-2	Construction documents shall include language requiring that construction vehicles be kept clean and free of mud and dust prior to leaving the development site. Streets surrounding the development site shall be swept daily and maintained free of dirt and debris.	<ul style="list-style-type: none"> Project Applicant(s) 	During pre-construction and construction	City of Fullerton Community and Economic Development Department	Review and approval of construction documents; periodic site inspections during construction			
COA-AES-3	Construction worker parking may be located off-site with prior approval by the City. On-street parking of construction worker vehicles on residential streets shall be prohibited.	<ul style="list-style-type: none"> Project Applicant(s) 	During pre-construction and construction	City of Fullerton Community and Economic Development Department	Review and approval of construction documents; periodic site inspections during construction			
COA-AQ-1	<p>Prior to issuance of any Grading Permit, the Community Development Director and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures, as specified in the SCAQMD’s Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:</p> <ol style="list-style-type: none"> All active portions of the construction site shall be watered twice daily to prevent excessive amounts of dust; Non-toxic soil stabilizers shall be applied to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain), according to manufacturers’ specifications; All excavating and grading operations shall be suspended when wind gusts (as instantaneous gust) exceed 25 miles per hour; On-site vehicle speed shall be limited to 15 miles per hour; All on-site roads shall be paved as soon as feasible, watered twice daily, or chemically stabilized; Visible dust beyond the property line which emanates from the project shall be prevented to the maximum extent feasible; All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site; Track-out devices shall be used at all construction site access points; All delivery truck tires shall be watered down and/or scraped down prior to departing the job site; 	<ul style="list-style-type: none"> Project Applicant(s) 	Prior to issuance of a Grading Permit / ongoing inspections during construction	City of Fullerton Community and Economic Development Department; City of Fullerton Engineering Department	Verification of grading plan, building plans, and specifications are in compliance with SCAQMD Rule 403 / Verification during construction			

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	<p>10. A construction relations officer shall be appointed to act as a community liaison concerning on-site construction activity including resolution of issues related to fugitive dust generation;</p> <p>11. Streets shall be swept at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway; and</p> <p>12. Replace ground cover in disturbed areas as quickly as possible.</p>							
COA-AQ-3	<p>The following measures shall be implemented to reduce VOC emissions resulting from application of architectural coatings:</p> <ul style="list-style-type: none"> ▪ Contractors shall use high-pressure-low-volume (HPLV) paint applicators with a minimum transfer efficiency of at least 50 percent; ▪ Use required coatings and solvents with a VOC content lower than required under Rule 1113; ▪ Construct/build with materials that do not require painting; and ▪ Use pre-painted construction materials. 	<ul style="list-style-type: none"> ▪ Project Applicant(s) 	Ongoing inspections during construction	City of Fullerton Community and Economic Development Department; City of Fullerton Engineering Department	Ongoing during construction			
COA-AQ-6	<p>Each individual implementing development project shall submit a traffic control plan prior to the issuance of a grading permit. The traffic control plan shall describe in detail safe detours and provide temporary traffic control during construction activities for that project. To reduce traffic congestion, the plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls such as a flag person during all phases of construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on- and off-site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow.</p>	<ul style="list-style-type: none"> ▪ Project Applicant(s) 	Prior to issuance of a Grading Permit	City of Fullerton Engineering Department	Submittal and approval of a Traffic Control Plan			
COA-AQ-9	<p>Proposed developments within the City of Fullerton shall include, to the extent feasible, as a part of construction and building management contracts, the following measures:</p> <ul style="list-style-type: none"> ▪ All residential and commercial structures shall be required to incorporate high efficiency/low polluting heating, air conditioning, appliances, and water heaters. 	<ul style="list-style-type: none"> ▪ Project Applicant(s) 	Prior to issuance of building permits	City of Fullerton Community and Economic Development Department	Verification by City that measures are included in construction and building contracts/ issuance of building permits			

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	<ul style="list-style-type: none"> All residential and commercial structures shall be required to incorporate thermal pane windows and weather-stripping. All residential, commercial, and industrial structures shall be required to incorporate light colored roofing materials. 							
COA-AQ-14	New sensitive land uses such as residential, a hospital, medical offices, day care facilities, and fire stations shall not be located closer than 1,000 feet from any existing or proposed distribution center/warehouse facility which generates a minimum of 100 truck trips per day, or 40 truck trips with transport refrigeration units (TRUs) per day, or TRU operations exceeding 300 hours per week, pursuant to the recommendations set forth in the CARB Air Quality and Land Use Handbook. If new sensitive land uses cannot meet this setback, they shall be designed and conditioned to include mechanical ventilation systems with fresh air filtration. For operable windows or other sources of ambient air filtration, installation of a central heating, ventilation, and air conditioning (HVAC) system that includes high efficiency filters for particulates (Minimum Efficiency Reporting Value [MERV] 13 or higher) or other similarly effective systems shall be required.	<ul style="list-style-type: none"> Project Applicant(s); City of Fullerton Community and Economic Development Department 	Prior to issuance of a building permit	City of Fullerton Community and Economic Development Department	Issuance of building permits			
COA-BIO-1	A land use permit application for a project on a site located within or adjacent to an environmentally sensitive habitat area, as determined by the City of Fullerton Community Development Department, shall provide a Biological Resource Assessment prepared by a qualified biologist for review and approval by the Community Development Department. The Biological Resource Assessment shall evaluate the impact the proposed development may have on the habitat, and whether the development would be consistent with the biological continuance of the habitat. For those environmentally sensitive habitat areas which are only seasonally occupied, or where the presence of the species can best be determined during a certain season (e.g., annual wildflower species), the field investigation(s) must be conducted during the appropriate time to maximize detection of the subject species. The report shall identify possible impacts, their significance, measures to avoid possible impacts, mitigation measures required to reduce impacts to less than significant levels when impacts cannot be avoided, measures for the restoration of damaged habitats and long-term protection of the habitats, and a program for monitoring and evaluating the effectiveness of such measures.	<ul style="list-style-type: none"> Project Applicant(s) 	Prior to approval of a land use permit	City of Fullerton Community and Economic Development Department	Submittal and approval of a biological resource assessment/ implementation of identified mitigation measures, as applicable			
COA-CR-1	Future development projects for properties considered to be sensitive for cultural resources by the City of Fullerton shall conduct a Phase I Cultural Resources Study of the subject	<ul style="list-style-type: none"> Project Applicant(s) 	Prior to issuance of grading permit	City of Fullerton Community and	Submittal and approval of a Phase I Cultural Resources			

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	<p>property in accordance with the City of Fullerton’s protocol by a qualified professional, which shall be submitted to the City of Fullerton for review and approval. The Phase I Cultural Resources Study shall determine where the subject development project would potentially cause a substantial adverse change to any significant archaeological, paleontological, or historic resources. The Phase I Cultural Resources Study shall be prepared to meet the standards established by the City and shall, at a minimum, including the results of the following:</p> <ol style="list-style-type: none"> 1. Records searches at the South Central Coastal Information Center (SCCIC), the National or State Registry of Historic Places, and any appropriate public, private, and tribal archives. 2. Sacred Lands File records search with the Native American Heritage Commission (NAHC), followed by project scoping with the tribes recommended by the NAHC. 3. Field survey of the subject development site. <p>The proponent of the subject development project and the qualified professional(s) are also encouraged to contact the local Native American tribe (as identified by the NAHC and the City of Fullerton) to obtain input regarding the potential for Native American resources to occur on the subject site.</p> <p>Feasible measures shall be identified in order to mitigate the known and potential significant effects of the subject development project, if any.</p>			Economic Development Department	Study/ Contact with Native American Tribes			
COA-CR-2	<p>If the Phase I Cultural Resources Study required under COA-CR-1 determines that monitoring during construction by a professional archaeologist and/or paleontologist is needed for the subject development project, the project proponent shall retain a professional archaeologist and/or paleontologist, subject to approval by the City of Fullerton, prior to the issuance of grading permits. The task of the professional archaeologist and/or paleontologist shall be to verify implementation of the mitigation measures identified in the City-approved Phase I Cultural Resources Study and to monitor the initial ground-altering activities, including but not limited to, debris removal, vegetation removal, tree removal, grading, trenching, or other site preparation activities. The professional archaeologist and/or paleontologist shall be empowered to temporarily halt or divert construction equipment to allow recording and removal of the unearthened resources. All artifacts and/or fossils discovered at the subject development site shall be inventoried and analyzed by the professional archaeologist and/or paleontologist. If any artifacts of Native American origin are discovered, a Native American Tribal monitor shall be</p>	<ul style="list-style-type: none"> ▪ Project Applicant(s); a professional archaeologist and/or paleontologist 	Prior to issuance of a grading permit/ during ground-altering activities	City of Fullerton Community and Economic Development Department	Retention of a professional archaeologist and/or paleontologist/ ongoing during initial ground-altering activities/ submittal of report of findings			

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	asked to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. A report of the findings, including an itemized inventory of recovered artifacts and/or fossils, shall be prepared and shall include a discussion of the significance and disposition of the recovered artifacts and/or fossils. The report and inventory shall be submitted to the City of Fullerton, signifying completion of the program to mitigate impacts to archaeological and/or paleontological resources.							
COA-CR-3	In the event that cultural resources (archaeological, historical, paleontological) resources are inadvertently unearthed during excavation and grading activities of any future development project, the contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. If not already retained due to conditions present pursuant to CR-2, the project proponent shall retain a qualified professional (i.e., archaeologist, historian, architect, paleontologist, Native American Tribal monitor), subject to approval by the City of Fullerton, to evaluate the significance of the finding and appropriate course of action (refer to Mitigation Measures CR-1, CR-2 and CR-4). If avoidance of the resource(s) is not feasible, salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.	<ul style="list-style-type: none"> Project Applicant(s); Construction Contractor 	During ground-altering activities	City of Fullerton Community and Economic Development Department	Retention of a professional archaeologist, paleontologist, and/or Native American monitor/ completion of salvage operations, as appropriate			
COA-CR-4	In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to State Health and Safety Code Section 7050.5, no further disturbance shall occur until the County coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendant of the deceased Native American, who shall serve as consultant on how to proceed with the remains.	<ul style="list-style-type: none"> Project Applicant(s) 	During ground-altering activities	City of Fullerton Community and Economic Development Department	On-site monitor report to Orange County Coroner's Office, if human remains are discovered			
COA-HAZ-1	Prior to issuance of a Grading Permit, a Soil Management Plan (SMP) shall be developed by a qualified environmental professional. The SMP shall outline procedures for both soil import and export. For soil import, the SMP shall outline the proper screening and characterization procedures following the DTSC's October 2001 Information Advisory Clean Imported Fill Material Fact Sheet. Import soils shall meet regulatory screening levels for residential use (SWRCB Environmental Screening Levels). For soil export, based on the findings of any	<ul style="list-style-type: none"> Project Applicant(s) 	Prior to issuance of a Grading Permit	City of Fullerton Community and Economic Development Department	Review and approval of Phase I ESA/ Completion of Further Sampling/ Remediation Activities, if necessary/ Issuance of Grading Permits			

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Mitigation Number	Mitigation Measure	Implementation		Monitoring		Verification of Compliance		
		Responsibility	Timing	Responsibility	Timing	Initials	Date	Remarks
	<p>and all site investigations (as outlined below), the SMP shall outline the proper screening, characterization, transportation, and disposal procedures for contaminated soils to be removed from the site for future development. For properties considered by the City to involve the potential for site contamination, a Phase I Environmental Site Assessment shall be prepared in accordance with ASTM Standards and Standards and Practices for AAI, in order to investigate the potential existence of site contamination. Any site specific uses shall be analyzed according to the Phase I Environmental Site Assessment (i.e., auto service stations, agricultural lands, etc.). The Phase I Environmental Site Assessment shall identify Specific Recognized Environmental Conditions (RECs) (i.e., asbestos containing materials, lead-based paints, polychlorinated biphenyls, etc.), which may require remedial activities prior to construction. The Phase I ESA and SMP shall be provided to the City of Fullerton Community and Economic Department for review prior to any site grading.</p> <p>The Project's contractor shall ensure implementation of the SMP through the contract specifications for all proposed soil import and management of contaminated soils onsite, as applicable. The SMP shall include health and safety and training procedures, air monitoring procedures, and permitting requirements. The SMP shall also include instructions for the identification of potentially-impacted soils, procedures for temporary cessation of construction activity and evaluation of the level of environmental concern if potentially-impacted soils or other subsurface anomalies are encountered, procedures for characterizing and managing potentially-impacted soils, and follow-up procedures such as confirmation sampling, disposal, and reporting, as necessary. Contaminated soil shall be managed and disposed of in accordance with applicable federal, state, and local regulations. Imported soils shall meet all requirements for residential land use. Upon completion of construction activities, proof of compliance with the SMP shall be provided to the City of Fullerton Community and Economic Department.</p>							
COA-HAZ-2	<p>Prior to potential remedial excavation and grading activities, impacted areas shall be cleared of all maintenance equipment and materials (e.g., solvents, grease, waste-oil), construction materials, miscellaneous stockpiled debris (e.g., scrap metal, pallets, storage bins, construction parts), above ground storage tanks, surface trash, piping, excess vegetation and other deleterious materials. These materials shall be removed off-site and properly disposed of at an approved disposal facility. Once removed, a visual inspection of the areas beneath the</p>	<ul style="list-style-type: none"> Project Applicant(s) 	<p>Prior to Remedial Excavation, if necessary and/or Issuance of Grading Permits</p>	<p>City of Fullerton Community and Economic Development Department; City of Fullerton Fire Department</p>	<p>Completion of Further Sampling/ Remediation Activities, if necessary/ Issuance of Grading Permits</p>			

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	<p>removed materials shall be performed. Any stained soils observed underneath the removed materials shall be sampled. In the event concentrations of materials are detected above regulatory cleanup levels during demolition or construction activities, the project Applicant shall comply with the following measures in accordance with Federal, State, and local requirements:</p> <ul style="list-style-type: none"> Excavation and disposal at a permitted, off-site facility; On-site remediation, if necessary; or Other measures as deemed appropriate by the City of Fullerton Fire Department. 							
COA-HAZ-3	<p>Prior to structural demolition/renovation activities, should these activities occur, a Certified Environmental Professional shall confirm the presence or absence of ACM's and LBPs. Should ACMs or LBPs be present, demolition materials containing ACMs and/or LBPs shall be removed and disposed of at an appropriate permitted facility.</p>	<ul style="list-style-type: none"> Project Applicant(s); Certified Environmental Professional(s) 	<p>Prior to Issuance of Demolition or Construction Permits/ Evaluation of ACM's and LBPs/ Removal of ACMs and LBPs, if necessary</p>	<p>City of Fullerton Community and Economic Development Department</p>	<p>Verification of Evaluation and Removal of ACM's and LBPs/ Issuance of Building Permits</p>			
COA-HAZ-4	<p>Areas of exposed soils within Caltrans right-of-way that would be disturbed during excavation/grading activities shall be sampled and tested for lead prior to ground disturbance activities on a project-by-project basis, so that any special handling, treatment, or disposal provisions associated with aerially deposited lead may be included in construction documents (if aerially deposited lead is present).</p>	<ul style="list-style-type: none"> Project Applicant(s); Construction Contractor 	<p>Prior to excavation and grading activities/ during construction activities/ soil sampling, if necessary/ remediation efforts, if necessary</p>	<p>City of Fullerton Community and Economic Development Department</p>	<p>Completion of Sampling/ Remediation activities, if necessary/ Issuance of Grading Permits</p>			
COA-HAZ-5	<p>Prior to construction, future developers shall prepare a Traffic Control Plan for implementation during the construction phase, as deemed necessary by the City Traffic Engineer. The Plan may include the following provisions, among others:</p> <ul style="list-style-type: none"> At least one unobstructed lane shall be maintained in both directions on surrounding roadways. At any time only a single lane is available, the developer shall provide a temporary traffic signal, signal carriers (i.e., flagpersons), or other appropriate traffic controls to allow travel in both directions. If construction activities require the complete closure of a roadway segment, the developer shall provide appropriate signage indicating detours/alternative routes. 	<ul style="list-style-type: none"> Project Applicant(s); Construction Contractor 	<p>Prior to issuance of demolition or construction permits</p>	<p>City of Fullerton Engineering Department</p>	<p>Submittal and approval of a Traffic Control Plan</p>			
COA-HAZ-6	<p>The City Community Development Department shall consult with the Fullerton Police Department to disclose temporary closures and alternative travel routes, in order to ensure adequate access for emergency vehicles when construction of future projects would result in temporary lane or roadway closures.</p>	<ul style="list-style-type: none"> City of Fullerton Community and Economic Development Department 	<p>Prior to issuance of demolition or construction permits</p>	<p>City of Fullerton Community and Economic Development Department; City of Fullerton Engineering Department</p>	<p>Coordination with Fullerton Police Department</p>			

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COA-HYD-1	Prior to issuance of any Grading or Building Permit, and as part of the future development's compliance with the NPDES requirements, a Notice of Intent shall be prepared and submitted to the Santa Ana RWQCB providing notification and intent to comply with the State of California General Construction Permit. Also, a Stormwater Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Engineering for water quality construction activities on-site. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable." All recommendations in the Plan shall be implemented during area preparation, grading, and construction. The project applicant shall comply with each of the and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable." All recommendations in the Plan shall be implemented during area preparation, grading, and construction. The project applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential stormwater runoff impacts.	<ul style="list-style-type: none"> Project Applicant(s); Construction Contractor 	Prior to Issuance of Grading or Building Permits	City of Fullerton Community and Economic Development Department; City of Fullerton Engineering Department	Proof of NOI Submittal/ Submittal and Approval of SWPPP/ Issuance of Grading or Building Permit			
COA-HYD-2	Prior to issuance of any Grading Permit, future development projects shall prepare, to the satisfaction of the Director of Engineering, a Water Quality Management Plan or Stormwater Mitigation Plan, which includes Best Management Practices (BMPs), in accordance with the Orange County DAMP. All recommendations in the Plan shall be implemented during post construction/operation phase. The project applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential water quality impacts.	<ul style="list-style-type: none"> Project Applicant(s); Construction Contractor 	Prior to Issuance of Grading Permits	City of Fullerton Community and Economic Development Department; City of Fullerton Engineering Department	Submittal and Approval of a Water Quality Management Plan or Stormwater Mitigation Plan/ Issuance of Grading Permit			
COA-HYD-3	Prior to site plan approval, the project owner/developer(s) shall be required to coordinate with the City of Fullerton Engineering Department to determine requirements necessary to mitigate impacts to drainage improvements in order to accommodate storage volumes and flood protection for existing and future runoff. Proposed projects shall implement mitigation measures, if required, to the satisfaction of the City of Fullerton Public Works Director. For any new storm drainage projects/studies that have the potential to impact adjacent jurisdictions' storm drainage systems, the developer shall submit said studies to the applicable jurisdiction for review and approval.	<ul style="list-style-type: none"> Project Applicant(s); Construction Contractor 	Prior to Site Plan Approval	City of Fullerton Community and Economic Development Department; City of Fullerton Engineering Department	Submittal and Review of Storm Drainage Studies/ Site Plan Approval			

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		Responsibility	Timing	Responsibility	Timing	Initials	Date	Remarks
COA-N-1	<p>Project applicants shall ensure through contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:</p> <ul style="list-style-type: none"> ▪ Ensure that construction equipment is properly muffled according to industry standards and be in good working condition. ▪ Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible. ▪ Schedule high noise-producing activities between the hours of 7:00 AM and 8:00 PM on any day except Sunday or a City-recognized holiday to minimize disruption on sensitive uses. ▪ Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources. ▪ Use electric air compressors and similar power tools rather than diesel equipment, where feasible. ▪ Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes. ▪ Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. ▪ Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of a grading or building permit (whichever is issued first). 	<ul style="list-style-type: none"> ▪ Project Applicant(s); Construction Contractor 	Prior to Issuance of Grading Permit/ Periodic Site Inspections Prior to- and During Construction	City of Fullerton Community and Economic Development Department; City of Fullerton Engineering Department	Issuance of Grading Permit/Periodic Site Inspections			
COA-N-2	<p>Project applicants shall require by contract specifications that heavily loaded trucks used during construction would be routed away from residential streets to the extent feasible. Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of a grading permit.</p>	<ul style="list-style-type: none"> ▪ Project Applicant(s); Construction Contractor 	Prior to Issuance of a Grading Permit/ Site Inspections During Construction	City of Fullerton Community and Economic Development Department; City of Fullerton Engineering Department	Review and Approval of Contract Specifications/ Issuance of Grading Permits/ Site Inspections			
COA-N-3	<p>Project applicants shall ensure by contract specifications that construction staging areas along with the operation of earthmoving equipment within the City would be located as far away from vibration and noise sensitive sites as possible. Should construction activities take place within 25 feet of an</p>	<ul style="list-style-type: none"> ▪ Project Applicant(s); Construction Contractor 	Prior to Issuance of a Prior to Issuance of a Grading Permit/ Site Inspections During Construction	City of Fullerton Community and Economic Development Department; City of	Review and Approval of Contract Specifications/ Issuance of Grading Permits/ Site Inspections			

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Mitigation Number	Mitigation Measure	Implementation		Monitoring		Verification of Compliance		
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	occupied structure, a project specific vibration impact analysis shall be conducted. Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of a grading permit.			Fullerton Engineering Department				
COA-N-4	<p>The City shall require future developments to implement the following measures to reduce the potential for human annoyance and architectural/structural damage resulting from elevated groundborne noise and vibration levels:</p> <ul style="list-style-type: none"> ▪ Pile driving within a 50-foot radius of historic structures shall utilize alternative installation methods where possible (e.g., pile cushioning, jetting, predrilling, cast-in-place systems, resonance-free vibratory pile drivers). ▪ The preexisting condition of all designated historic buildings within a 50-foot radius of proposed construction activities shall be evaluated during a preconstruction survey. The preconstruction survey shall determine conditions that exist before construction begins for use in evaluating damage caused by construction activities. Fixtures and finishes within a 50-foot radius of construction activities susceptible to damage shall be documented (photographically and in writing) prior to construction. All damage shall be repaired back to its preexisting condition. <p>Vibration monitoring shall be conducted prior to and during pile driving operations occurring within 100 feet of the historic structures. Every attempt shall be made to limit construction-generated vibration levels in accordance with Caltrans recommendations during pile driving and impact activities in the vicinity of the historic structures.</p>	<ul style="list-style-type: none"> ▪ Project Applicant(s); Construction Contractor 	Prior to Issuance of a Grading Permit/ Inspections During Pile Driving Operations	City of Fullerton Community and Economic Development Department; City of Fullerton Engineering Department	Submittal and Approval of Pre-Construction Surveys/ Ongoing During Construction			
COA-N-5	Residential projects located within the 65 dB CNEL noise contour for the Fullerton Municipal Airport shall be subject to review by the Orange County Airport Land Use Commission and shall be required to ensure interior noise levels from aircraft operations are at or below 45 dB CNEL.	<ul style="list-style-type: none"> ▪ Project Applicant(s) 	Prior to Issuance of Building Permits	City of Fullerton Community and Economic Development Department	Submittal and Approval of Acoustical Noise Analysis / Finding of Consistency/ Compatibility from the Orange County Airport Land Use Commission			
COA-N-6	The City shall require mechanical equipment from future development to be placed as far practicable from sensitive receptors. Additionally, the following shall be considered prior to HVAC installation: proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into the building design.	<ul style="list-style-type: none"> ▪ Project Applicant(s) 	Prior to Issuance of Building Permits	City of Fullerton Community and Economic Development Department	Issuance of Building Permits			
COA-PUB-1	Prior to the issuance of building permits, individual development project applicants shall submit evidence to the City of Fullerton that legally required school impact mitigation	<ul style="list-style-type: none"> ▪ Project Applicant(s) 	Prior to Issuance of Building Permits	City of Fullerton Community and Economic Development Department	Proof of Payment of School Impact Mitigation Fees			

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	fees have been paid per the mitigation established by the applicable school district.							
COA-TR-1	Prior to approval of any General Plan Amendment and/or Zone Change associated with the focused planning efforts for The Fullerton Plan Focus Areas, the City and/or project proponent shall prepare a detailed multi-modal analysis in order to determine specific impacts associated with the proposed General Plan Amendment and/or Zone Change, and where applicable, identify mitigation measures to reduce impacts to less than significant levels based on City adopted multi-modal thresholds. The multi-modal analysis shall specify the timing, funding, construction, and fair share responsibilities for all traffic improvements necessary to maintain satisfactory levels of service within the City of Fullerton and surrounding jurisdictions, in accordance with the significant impact criteria established by the jurisdiction that controls the affected area.	<ul style="list-style-type: none"> Project Applicant(s) 	Prior to any GPA and/or Zone Change within The Fullerton Plan Focus Areas	City of Fullerton Community and Economic Development Department	Preparation and Approval of a Multi-Modal Analysis			
COA-WW-1	Prior to issuance of a building permit for any future development project, the Project Applicant shall prepare an engineering study to support the adequacy of the sewer systems and submit the engineering study to the City of Fullerton for review and approval. Any improvements recommended in the engineering study shall be installed prior to the certificate of occupancy for the development project. For any sewer projects/studies that have the potential to impact adjacent jurisdictions' sewer systems, the developer shall submit said studies to the applicable jurisdiction for review and approval.	<ul style="list-style-type: none"> Project Applicant(s) 	Prior to Issuance of Building Permits and Certificates of Occupancy	City of Fullerton Community and Economic Development Department; City of Fullerton Engineering Department	Submittal and Approval of an Engineering Study/ Installation of Improvements / Issuance of Building Permit			
COA-WW-2	Prior to issuance of a building permit for any future development project, the Project Applicant shall submit a sewer capacity analysis of existing wastewater utility in the project site's vicinity for OCSD review and obtain sewer capacity verification from OCSD prior to issuance of a building permit.	<ul style="list-style-type: none"> Project Applicant(s) 	Prior to Issuance of Building Permits	City of Fullerton Community and Economic Development Department; City of Fullerton Engineering Department	Proof of Sufficient Transmission and Treatment Capacity from OCSD / Issuance of Building Permit			