

4. Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program (MMRP), which is provided in **Table 4-1, Mitigation Monitoring and Reporting Program**, below, has been prepared pursuant to Public Resources Code Section 21081.6, which requires a Lead Agency to adopt a “reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” In addition, CEQA Guidelines Section 15097(a) requires that:

In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

The City of Long Beach is the Lead Agency for the proposed Project and therefore is responsible for administering and implementing the MMRP. The decision-makers must define specific reporting and/or monitoring requirements to be enforced during Project implementation prior to final approval of the proposed Project. The primary purpose of the MMRP is to ensure that the mitigation measures identified in the Draft EIR are implemented, thereby minimizing identified environmental effects.

The MMRP also includes Project Design Features (PDFs) identified throughout Chapter 2, Project Description of the Draft EIR. The PDFs are specific design elements proposed by the Applicant that have been incorporated into the Project that serve to reduce or avoid potential environmental effects. Because PDFs have been incorporated into the proposed Project, they do not constitute mitigation measures, as defined by CEQA Guidelines Section 15126.4. However, PDFs are included in this MMRP to ensure their implementation as a part of the Project.

Final clearance shall require all applicable verification as indicated in **Table 4-1**. The City will have primary responsibility for monitoring and reporting the implementation of the PDFs and mitigation measures unless otherwise indicated. The PDFs and mitigation measures are identified by the impact category and number that correspond with the Draft EIR.

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Table 4-1: Mitigation Monitoring and Reporting Program

Project Design Feature (PDF) or Mitigation Measure (MM)	Monitoring Phase	Enforcement Agency	Action Indicating Compliance
Project Design Feature			
Roof-top Solar Photovoltaic Panels. Solar array to provide 1,840,000 watts DC, including approximately (26) roof mounted 10,000 volt string inverters, 3,250 solar panels, on-site battery storage, with expected 2,965,000 kWh generated annually.	Operation	City of Long Beach Planning Bureau City of Long Beach Building and Safety	Plan check approval and issuance of Certificate of Occupancy. Proof of installation of solar array at inspection.
	Pre-Construction Operation	City of Long Beach Planning Bureau City of Long Beach Building and Safety	Plan check approval and issuance of Certificate of Occupancy. Compliance shall be demonstrated by achieving LEED Certification through the submission of a completed application for review to the Green Business Certification Inc.
Mitigation Measure (MM)			
MM CUL-1, Inadvertent Discovery of Cultural Resources. In the event that any subsurface cultural resources are encountered at the Project site during construction or the course of any ground disturbance activities, all such activities within 50 feet of the discovery shall halt immediately. The applicant shall notify the City and consult with a Secretary of Interior qualified archaeologist who shall evaluate the find in accordance with Federal, State, and local guidelines, including those set forth in the California Public Resources Code Section 21083.2 and shall determine the necessary findings as to the origin and disposition to assess the significance of the find. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined to be unnecessary or infeasible by the City. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. For any resources of Native American origin, the City shall also contact the Tribes that elected to consult on the Project to identify its potential as a Tribal Cultural Resource (TCR). Should the resource, in consultation between the City and Tribe(s), be determined a	During construction or course of ground disturbance activities	City of Long Beach Public Works City of Long Beach Community Development Department Secretary of Interior Qualified Archaeologist Consulting Tribes	If resources are found, recordation of all identified cultural resources on appropriate CA DPR 523 series forms. All records will be submitted to the City of Long Beach, Consulting Tribe(s), and South-Central Coastal Information Center (SCCIC).

Project Design Feature (PDF) or Mitigation Measure (MM)	Monitoring Phase	Enforcement Agency	Action Indicating Compliance
TCR, the City shall also consult with Tribes regarding avoidance or other measures recommended by the consultant. All identified cultural resources will be recorded on appropriate CA DPR 523 series forms and evaluated for significance. All records will be submitted to the City of Long Beach, Consulting Tribe(s), and South Central Coastal Information Center (SCCIC).			
<p>MM CUL-2, Inadvertent Discovery of Human Remains.</p> <p>In the event that human skeletal remains are encountered at the project site during construction or the course of any ground disturbance activities, all such activities within 100 feet shall halt immediately, pursuant to State Health and Safety Code Section 7050.5 which requires that no further ground disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to California Public Resources Code Section 5097.98. Additionally, the following procedures shall be followed:</p> <p>Contact the County Coroner: 1104 N. Mission Road Los Angeles, CA 90033 (323) 343-0512 (8 a.m. to 5 p.m. Monday through Friday) or (323) 343-0714 (After Hours, Saturday, Sunday, and Holidays)</p> <p>If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will immediately notify the person they believe to be the Most Likely Descendent (MLD) of the ancestral remains. The MLD has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.</p>	During Project construction or over the course of any ground disturbance.	<p>City of Long Beach Public Works Department</p> <p>City of Long Beach Planning Bureau</p> <p>County Coroner</p>	<p>If resources are encountered, the County Coroner must be contacted.</p> <p>The County Coroner has 24 hours to notify the NAHC if the remains are determined to be of Native American descent.</p> <p>Compliance shall be demonstrated through a letter from the County Coroner to the City.</p>

Project Design Feature (PDF) or Mitigation Measure (MM)	Monitoring Phase	Enforcement Agency	Action Indicating Compliance
MM GEO-1, Final Geotechnical Site Investigation. The Project Applicant shall engage a California-registered geotechnical engineer to prepare a Final Geotechnical Investigation for the proposed Project. The Final Geotechnical Report shall meet the requirements of the 2022 CBC, California DOC, Division of Mines and Geology Special Publication 117 (SP 117), as amended, the City of Long Beach, and other applicable regulations and standards. The Final Geotechnical Investigation shall describe the geological and geotechnical conditions of the Project site, include design-level geotechnical recommendations, and provide findings, recommendations, and proposed mitigation for addressing potential seismic hazards associated with the proposed Project. The Final Geotechnical Investigation shall be provided to the City of Long Beach for review and approval. Review and approval of the Final Geotechnical Investigation shall be a condition of issuance of building permits by the City of Long Beach.	Pre-construction, prior to issuance of building permits	City of Long Beach Public Works Department City of Long Beach Building and Safety Bureau City of Long Beach Planning Bureau	Compliance shall be demonstrated by the completion of a Final Geotechnical Investigation prepared by a California-registered geotechnical engineer and approved by the City.
MM GEO-2, Remedial Site Grading. The Project Applicant shall employ remedial grading within the proposed building footprint as part of construction of the proposed Project. Remedial grading will include the excavation of the existing undocumented fill soils, as well as the potentially compressible near-surface native alluvium for evaluation purposes and processing. Processing includes scarification, moisture conditioning, and recompaction to at least 90 percent of the ASTM-D-1557 maximum dry density. This layer of fill will help to mitigate any liquefaction-induced differential settlements.	Construction	City of Long Beach Public Works Department City of Long Beach Building and Safety Bureau City of Long Beach Planning Bureau	Plan check approval and issuance of grading permit. Compliance shall be demonstrated and verified through periodic inspections by the City during construction.
MM GEO-3, Paleontological Monitoring. In the event paleontological resources are encountered during construction of the proposed Project, the City shall be immediately informed of the discovery. All work shall cease in the area of the find, and a qualified paleontologist shall be retained by the Applicant to evaluate the find before restarting work in the area. A qualified paleontologist is a paleontologist who meets the Society of Vertebrate Paleontology (SVP) standards for Qualified Professional Paleontologist, which is defined as an individual preferably with an M.S. or Ph.D. in paleontology or geology, who is experienced with paleontological procedures and techniques, who is	Construction	City of Long Beach Public Works Department City of Long Beach Building and Safety Bureau City of Long Beach Planning Bureau Qualified Professional Paleontologist meeting the	If resources are encountered, a qualified paleontologist shall be retained. Compliance shall be demonstrated through the submission of a paleontological resources assessment to the City of Long Beach.

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knowledgeable in the geology of California (preferably Southern California), and who has worked as a paleontological mitigation Project supervisor for a least one year. The City shall require that all paleontological resources identified on the Project site be assessed and treated in a manner determined by the qualified paleontologist. The qualified paleontologist shall be empowered to halt or divert ground disturbing activities.		Society of Vertebrate Paleontology standards	
MM NOI-1, Noise Control Barrier. The Project Applicant would install a minimum 12-foot-high temporary construction noise barrier along the western Project site boundary, starting from Cherry Avenue and extending a minimum of 100 feet to the east along both the northern and southern property lines for the duration of Project construction. The noise control barrier must have a solid face from top to bottom. The noise control barrier must meet the minimum height (12 feet) and be constructed as follows: <ol style="list-style-type: none"> 1. The temporary noise barriers shall provide a minimum transmission loss of 20 dBA (FHWA, Noise Barrier Design Handbook). The noise barrier shall be constructed using an acoustical blanket (e.g., vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts. 2. The noise barrier must be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired. 3. The noise control barrier and associated elements shall be completely removed, and the site appropriately restored upon the conclusion of the construction activity. 	Pre-construction Construction	City of Long Beach Public Works Department City of Long Beach Building and Safety Bureau City of Long Beach Planning Bureau	Compliance shall be demonstrated and verified through periodic inspections by the City of Long Beach during construction.
MM NOI-2, Construction Hours. All construction activities shall comply with LBMC Section 8.80.202 restricting construction activity to the hours between 7:00 p.m. and 7:00 a.m.	Construction	City of Long Beach Building and Safety Bureau City of Long Beach Planning Bureau	Compliance shall be demonstrated and verified through periodic inspections by the City of Long Beach during construction.

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MM NOI-3, Equipment Mufflers. Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.	Construction	City of Long Beach Building and Safety Bureau City of Long Beach Planning Bureau	Compliance shall be demonstrated and verified through periodic inspections by the City of Long Beach during construction.
MM NOI-4, Equipment Location. All stationary construction equipment shall be placed in such a manner so that emitted noise is directed away from any sensitive receivers.	Construction	City of Long Beach Building and Safety Bureau City of Long Beach Planning Bureau	Compliance shall be demonstrated and verified through periodic inspections by the City of Long Beach during construction.
MM NOI-5, Staging Areas. Construction equipment staging areas shall be located at the greatest feasible distance between the staging area and the nearest sensitive receivers.	Construction	City of Long Beach Building and Safety Bureau City of Long Beach Planning Bureau	Compliance shall be demonstrated and verified through periodic inspections by the City of Long Beach during construction.
MM NOI-6, Delivery Hours. The construction contractor shall limit equipment and material deliveries to the same hours specified for construction equipment under Mitigation Measure MM-2, Construction Hours.	Construction	City of Long Beach Building and Safety Bureau City of Long Beach Planning Bureau	Compliance shall be demonstrated and verified through periodic inspections by the City of Long Beach during construction.
MM NOI-7, Electric Equipment. Electrically powered air compressors and similar power tools shall be used, when feasible, in place of diesel equipment.	Construction	City of Long Beach Building and Safety Bureau City of Long Beach Planning Bureau	Compliance shall be demonstrated and verified through periodic inspections by the City of Long Beach during construction.
MM NOI-8, Construction Site Noise Limits. No music or electronically reinforced speech from construction workers shall be allowed.	Construction	City of Long Beach Building and Safety Bureau City of Long Beach Planning Bureau	Compliance shall be demonstrated and verified through periodic inspections by the City of Long Beach during construction.

Project Design Feature (PDF) or Mitigation Measure (MM)	Monitoring Phase	Enforcement Agency	Action Indicating Compliance
MM TRA-1, Implement a Voluntary Commute Reduction Program. The ultimate tenant will implement a voluntary Commute Trip Reduction (CTR) program to discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking.	Operations	City of Long Beach Planning Bureau Project tenant	Compliance shall be demonstrated and verified through the production of a Voluntary Commute Trip Reduction (CTR) Program prior to the issuance of a Certificate of Occupancy.
MM TRA-2, Employer Provided Transit Passes. The ultimate tenant would provide employees with transit passes to encourage commuting by public transit in lieu of traveling by personal vehicle.	Operations	City of Long Beach Planning Bureau Project tenant	Compliance shall be demonstrated by a letter discussing the distribution of transit passes to employees.