

February 2022 | Mitigation Monitoring and Reporting Program

4416 AZUSA CANYON ROAD

City of Irwindale

Prepared for:

City of Irwindale

Contact: Brandi Jones, Senior Planner
5050 Irwindale Avenue
Irwindale, California 91706
626.430.2260

Prepared by:

PlaceWorks

Contact: JoAnn C. Hadfield, Principal
3 MacArthur Place, Suite 1100
Santa Ana, California 92707
714.966.9220
info@placeworks.com
www.placeworks.com

Table of Contents

| Section | Page |
|--|-------------|
| MITIGATION MONITORING AND REPORTING PROGRAM..... | 1 |
| 1. PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM..... | 1 |
| 2. PROJECT LOCATION..... | 2 |
| 3. PROJECT SUMMARY..... | 2 |
| 4. MITIGATION MONITORING | 3 |

List of Tables

| Table | Page |
|---|-------------|
| Table 1 Mitigation Monitoring Requirements | 3 |

Table of Contents

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Mitigation Monitoring and Reporting Program

1. PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in the 4416 Azusa Canyon Road Initial Study/Mitigated Negative Declaration (IS/MND), State Clearinghouse No. 2021120500. The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with Section 21081.6:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
 - (1) The public agency shall 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. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
 - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

The State CEQA Guidelines Section 15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during project implementation. The City of Irwindale is the lead agency for the 4416 Azusa Canyon Road project and is therefore responsible for implementing the MMRP. The MMRP has been drafted to meet the requirements of Public Resources Code Section 21081.6 as a fully enforceable monitoring program.

The MMRP consists of the mitigation program and the measures to implement and monitor the mitigation program. The MMRP defines the following for the mitigation measure outlined in Table 1, *Mitigation Monitoring Requirements*:

- **Definition of Mitigation.** The mitigation measure contains the criteria for mitigation, either in the form of adherence to certain adopted regulations or identification of the steps to be taken in mitigation.
- **Responsible Party or Designated Representative.** Unless otherwise indicated, the project applicant is the responsible party for implementing the mitigation, and the City of Irwindale or a designated

Mitigation Monitoring and Reporting Program

representative is responsible for monitoring the performance and implementation of the mitigation measures. To guarantee that the mitigation measure will not be inadvertently overlooked, a supervising public official acting as the Designated Representative is the official who grants the permit or authorization called for in the performance. Where more than one official is identified, permits or authorization from all officials shall be required.

- **Time Frame.** In each case, a time frame is provided for performance of the mitigation measure or review of evidence that mitigation has taken place. The performance points selected are designed to ensure that impact-related components of project implementation do not proceed without establishing that the mitigation is implemented or ensured. All activities are subject to the approval of all required permits from local, state, and federal agencies with permitting authority over the specific activity.

The numbering system in Table 1 corresponds with the numbering system used in the IS/MND. The last column of the MMRP table will be used by the parties responsible for documenting when implementation of the mitigation measure has been completed. The ongoing documentation and monitoring of mitigation compliance will be completed by the City of Irwindale. The completed MMRP and supplemental documents will be kept on file at the City of Irwindale Community Development Department.

2. PROJECT LOCATION

The approximately 5.89-acre project site is in the southeastern portion of Irwindale in Los Angeles County. The city is approximately 20 miles east of downtown Los Angeles, with neighboring cities of West Covina, Baldwin Park, the unincorporated area of Vincent, Azusa, Duarte, El Monte, North El Monte, and Monrovia. The project site is at the northeastern corner of the Azusa Canyon Road/Los Angeles Street intersection. It is bound by Big Dalton Wash to the north, Los Angeles County Metro (LA Metro) railroad and Los Angeles Street to the south, a railroad spur to the east, and Azusa Canyon Road to the west. The project site's Assessor's Parcel Number is 8417-004-006.

Regional access to the project site is from Interstate 10 (I-10), approximately 1.4 miles to the south via North Orange Avenue, West San Bernardino Road, and Azusa Canyon Road, and from I-605 approximately 2.5 miles to the northwest via Live Oak Avenue, Arrow Highway, and Azusa Canyon Road. State Route 39 (SR-39) also provides regional access to the project site and is approximately 2 miles east of the site. Local access to the project site is via Azusa Canyon Road and Los Angeles Street.

3. PROJECT SUMMARY

The project applicant proposes to develop the 5.89-acre project site with a stand-alone concrete tilt-up warehouse, office, and manufacturing facility at the project site. The warehouse and manufacturing businesses would operate out of a proposed building that would encompass a total of 129,830 square feet, with 17,000 square feet of manufacturing space, 103,670 square feet of warehousing space, and 9,160 square feet of ancillary office space to support the industrial and warehousing tenant(s). The proposed project would also include 18 dock door positions within a secured truck court area on the southeastern side of the site. Other project components include vehicular and pedestrian access and circulation improvements, asphalt parking areas, utility and infrastructure improvements, and various hardscape and landscape improvements.

Mitigation Monitoring and Reporting Program

4. MITIGATION MONITORING

Table 1 Mitigation Monitoring Requirements

| Mitigation Measure | Responsibility for Implementation | Timing | Responsibility for Monitoring | Monitor (Signature Required) (Date of Compliance) | |
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| 3.3 Air Quality | | | | | |
| AQ-1 | <p>Prior to issuance of a business license, if a prospective business tenant has the potential to emit nuisance odors beyond the property line, an odor management plan shall be prepared by the prospective business tenant, subject to review and approval by the City of Irwindale Community Development Department or Planning Commission. Types of uses that have the potential to generate nuisance odors include, but are not limited to:</p> <ul style="list-style-type: none"> • Wastewater treatment plants • Composting, green waste, or recycling facilities • Fiberglass manufacturing facilities • Painting/coating operations • Large-capacity coffee roasters • Food-processing facilities <p>The odor management plan shall show compliance with the SCAQMD's Rule 402 for nuisance odors. The odor management plan shall identify the best available control technologies for toxics (T-BACTs) that will be utilized to reduce potentially odors to acceptable levels, including appropriate enforcement mechanisms. T-BACTs may include but are not limited to scrubbers (i.e., air pollution control devices) at the industrial facility.</p> | Prospective Business Tenant | Prior to the issuance of a business license | City of Irwindale Community Development Department | |
| 3.5 Cultural Resources | | | | | |
| CUL-1 | <p>If construction personnel, including the Native American monitor, identify cultural resources during ground-breaking activities, they shall inform the site construction superintendent who shall notify the City and project applicant. The project applicant shall then contact a qualified archaeologist and all work must halt within 50 feet of the find until the archaeologist can determine the</p> | Project Applicant, Qualified Archaeologist | During ground-breaking activities | City of Irwindale Community Development Department Building and Safety | |

Mitigation Monitoring and Reporting Program

Table 1 Mitigation Monitoring Requirements

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| <p>significance. No soil shall be exported from within the 50-foot buffer around the find until a determination of significance is made. The qualified archaeologist will also determine if archaeological monitoring is warranted.</p> <p>If the qualified archaeologist determines that the find qualifies as a significant cultural resource, the archeologist shall make recommendations on the treatment and disposition of the deposits, which shall be developed in accordance with all applicable provisions of California Public Resource Code Section 21083.2 and State CEQA Guidelines Sections 15064.5 and 15126.4. If significant cultural resources are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan. The archaeologist shall prepare a final report describing monitoring methods and results that includes a catalog of all cultural resources identified for submission to the City. The City shall determine disposition of collected cultural resources, which may include return to landowner/applicant, transfer to a consulting Native American group, donation to school or museum, or long-term curation at an approved curation facility. The applicant shall be financially responsible for costs associated with cultural resources monitoring, including artifact curation, up to the limits imposed by Public Resources Code Section 21083.2.</p> | | | | | |
| 3.7 Geology and Soils | | | | | |
| GEO-1 | <p>If construction personnel, including the Native American monitor, identify paleontological resources during ground-disturbing activities, they shall inform the site construction superintendent who will notify the City and project applicant. The project applicant shall then contact a qualified paleontologist and all ground-disturbing activity shall cease in the immediate area of the find (within a 50-foot buffer) until the paleontologist can evaluate the find.</p> <p>If the discoveries are determined to be significant, full-time paleontological monitoring will be recommended for the remainder</p> | Project Applicant, Qualified Paleontological | During ground-disturbing activities | City of Irwindale Community Development Department Building and Safety | |

Mitigation Monitoring and Reporting Program

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| <p>of ground disturbance for the project. Paleontological monitoring shall entail the visual inspection of excavated or graded areas and trench sidewalls. If a paleontological resource is discovered, the monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and collected. Monitoring efforts can be reduced or eliminated at the discretion of the project paleontologist.</p> <p>Upon completion of fieldwork, all significant fossils collected shall be prepared in a properly equipped paleontology laboratory to a point ready for curation. Preparation shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary. Following laboratory work, all fossil specimens shall be identified to the most specific taxonomic level possible, cataloged, analyzed, and delivered by the Natural History Museum of Los Angeles County for permanent curation and storage. The cost of curation is assessed by the repository and shall be the responsibility of the project applicant. At the conclusion of laboratory work and museum curation, a final Paleontological Monitoring Report shall be prepared describing the results of the paleontological mitigation monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project area geology and paleontology, a list of taxa recovered, an analysis of fossils recovered and their scientific significance, and recommendations. A copy of the report shall be submitted to the Natural History Museum of Los Angeles County.</p> | | | | | |
| 3.9 Hazards and Hazardous Materials | | | | | |
| HAZ-1 | Any subsurface materials exposed during construction activities that appear suspect for contamination, either from visual staining or odors, shall require immediate cessation of excavation activities. Soils suspected of contamination shall be tested for potential contamination. If contamination is found to be present per the | Project Applicant, Construction Contractor | During construction activities | City of Irwindale Community Development Department Building and Safety | |

Mitigation Monitoring and Reporting Program

Table 1 Mitigation Monitoring Requirements

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|---|--|-------------------|---|---|--|
| <p>Mitigation Measure</p> <p>Department of Toxic Substances Control Screening Levels for industrial/commercial land use (DTSC-SLi) and the EPA Regional Screening Levels for industrial/commercial land use (EPA-RSLi), contaminated soils shall be transported and disposed of per state regulations to an appropriately permitted landfill.</p> | | | | | |
| 3.17 Transportation | | | | | |
| T-1 | <p>Prior to the issuance of occupancy permits, the project applicant shall provide the following improvements at the intersection of Azusa Canyon Road and Los Angeles Street:</p> <ul style="list-style-type: none"> • A new crosswalk on the east leg of the intersection. • A new crosswalk on the west leg of the intersection. • Restrict on-street parking on the south side of Los Angeles Street, east of Azusa Canyon Road, within 150 feet of the intersection. • Restrict on-street parking on the east side of Azusa Canyon Road, north of Los Angeles Street within 150 feet of the intersection. • Review sight distance and other safety considerations prior to finalization of the proposed driveways. | Project Applicant | Prior to issuance of occupancy permits | City of Irwindale Public Works/Engineering Department | |
| 3.18 Tribal Cultural Resources | | | | | |
| TCR-1 | <p>The City of Irwindale shall notify the Gabrielino Tongva Indians of California Tribal Council if prehistoric materials, including Native American burial remains, are found. Any notification by the City of Irwindale to the Tribe of the discovery of burial remains shall be separate from the Native American Heritage Commission (NAHC) process and shall occur regardless of whether the NAHC designates the Tribe as Most Likely Descendant. If Native American burial remains are found, the Tribe shall engage the City of Irwindale in formal Native American consultation.</p> | City of Irwindale | In the event that prehistoric and/or burial remains are found | City of Irwindale Community Development Department | |

Mitigation Monitoring and Reporting Program

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| TCR-2 | <p>A Native American monitor from the Gabrieleño Band of Mission Indians – Kizh Nation shall be retained prior to commencement of ground-disturbing activities:</p> <ul style="list-style-type: none"> The project applicant shall retain a Native American monitor (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation the direct lienal descendants of the project location. The monitor shall be retained prior to the commencement of any ground-disturbing activity for the subject project, at all project locations (i.e., both onsite and any off-site locations that are included in the project description and/or required in connection with the project such as public improvement work). Ground-disturbing activity includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring grading, excavation, drilling, trenching. A copy of the executed monitoring agreement shall be provided to the City of Irwindale prior to the commencement of any ground-disturbing activity for the project, or the issuance of permit necessary to commence a ground-disturbing activity. The project applicant shall provide the Tribe with a minimum of 30 days advance written notice of the commencement of any project ground-disturbing activity so that the Tribe has sufficient time to secure and schedule a monitor for the project. The project applicant shall hold at least one pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where a senior member of the Gabrieleño Band of Mission Indians – Kizh Nation shall inform and educate the project’s construction and managerial crew and staff members (including any project subcontractors and consultants) about the tribal cultural resources mitigation measures and compliance obligations, as well as places of significance located on the project site (if any), the appearance of potential tribal cultural resources, and other informational and | Project Applicant, Native American Monitor | Prior to commencement of ground-disturbing activities | City of Irwindale Community Development Department | |

Mitigation Monitoring and Reporting Program

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| | <p>operational guidance to aid in the project's compliance with the mitigation measures.</p> <ul style="list-style-type: none"> The Native American Monitor shall complete daily monitoring logs that shall provide descriptions of the relevant ground disturbing activities, the type of construction activities performed; locations of ground-disturbing activities; soil types; cultural-related materials; and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs shall identify and describe any discovered tribal cultural resources, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the project applicant and/or lead agency upon written request. Native American monitoring for the project shall conclude upon the latter of the following: (1) written confirmation from a designated project point of contact to the Tribe that all ground-disturbing activities and all phases that may involve ground-disturbing activities on the project site and at any off-site project location are complete; or (2) written notice by the Tribe to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase (known by the Tribe at that time) at the project site and at any off-site project location possess the potential to impact tribal cultural resources. | | | | |
| TCR-3 | <p>Discovery of tribal cultural resources, human remains, and or grave goods:</p> <ul style="list-style-type: none"> Upon the discovery of a tribal cultural resource, all construction activities in the immediate vicinity of the discovery (i.e., not less than surrounding 50 feet) shall cease. The Gabrieleño Band of Mission Indians – Kizh Nation shall be immediately informed of the discovery, and the Kizh monitor shall promptly report to the | Project Applicant, Construction Contractor | Upon discovery of tribal cultural resources, human remains, or grave goods | City of Irwindale Community Development Department | |

Mitigation Monitoring and Reporting Program

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| <p>location of the discovery to evaluate the tribal cultural resource and advise the project manager regarding the matter, protocol, and any mitigating requirements. No project construction activities shall resume in the surrounding 50 feet of the discovered tribal cultural resource unless and until the Tribe has completed its assessment, evaluation and recovery of the discovered tribal cultural resource and surveyed the surrounding area.</p> <ul style="list-style-type: none"> • The Tribe shall recover and retain all discovered tribal cultural resources in the form and/or manner the Tribe deems appropriate in its sole discretion, and for any purpose the Tribe deems appropriate, including but not limited to, educational, cultural and/or historic purposes. • If Native American human remains and/or grave goods are discovered or recognized on the project site or at any off-site project location, then all construction activities shall immediately cease. Native American human remains are defined to include an inhumation or cremation, and in any state of decomposition or skeletal completeness (Pub. Res. Code § 5097.98(d)(1)). Funerary objects, referred to as associated grave goods, shall be treated in the same manner and with the same dignity and respect as human remains. (Pub. Res. Code § 5097.98(a), (d)(1) and (2). • Any discoveries of human skeletal material or human remains shall be immediately reported to the County Coroner (Health & Safety Code § 7050.5(c); 14 Cal. Code Regs. §15064.5(e)(1)(B)), and all ground-disturbing project ground-disturbing activities on site and in any other areas where the presence of human remains and/or grave goods are suspected to be present, shall immediately halt and remain halted until the coroner has determined the nature of the remains (14 Cal. Code Regs. § 15064.5(e)). If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, within | | | | |

Mitigation Monitoring and Reporting Program

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| | <p>24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.</p> <ul style="list-style-type: none"> • Thereafter, construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or grave goods, if the Tribe determines in its sole discretion that resuming construction activities at that distance is acceptable and provide the project manager express consent of that determination (along with any other mitigation measures the Tribal monitor and/or archaeologist deems necessary) (14 Cal. Code Regs. § 15064.5(f)). Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or grave goods. • Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes. • Any discovery of human remains and/or grave goods discovered and/or recovered shall be kept confidential to prevent further disturbance. | | | | |
| TCR-4 | <ul style="list-style-type: none"> • Procedures for burials, funerary remains, and grave goods: • As the Most Likely Descendant (“MLD”), the Koo-nas-gna Burial Policy shall be implemented for all discovered Native American human remains and/or grave goods. Tribal traditions include, but are not limited to, the preparation of the soil for burial, the burial of funerary objects and/or the deceased, and the ceremonial burning of human remains. • If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created. The prepared soil and | Project Applicant, Construction Contractor, Native American Monitor, Qualified Archaeologist | In the event that Native American remains and/or grave goods are discovered | City of Irwindale Community Development Department | |

Mitigation Monitoring and Reporting Program

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| <p>cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated grave goods are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, as well as other items made exclusively for burial purposes or to contain human remains. Cremations shall either be removed in bulk or by means necessary to ensure complete recovery of all sacred materials.</p> <ul style="list-style-type: none"> • In the case where discovered human remains cannot be fully recovered (and documented) on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe shall make every effort to divert the project while keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials shall be removed. • In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. The site of reburial/repatriation shall be agreed upon by the Tribe and the landowner and shall be protected in perpetuity. • Each occurrence of human remains and associated grave goods shall be stored using opaque cloth bags. All human remains, grave goods, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and shall be reburied within six months of recovery. | | | | |

Mitigation Monitoring and Reporting Program

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| <ul style="list-style-type: none"> The Tribe shall work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains. | | | | |