

## Exhibit 1B

# SANTA ANA OFF-PREMISES COMMERCIAL ADVERTISING SIGNS ORDINANCE UPDATE PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Prepared for

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## PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that all public agencies establish monitoring and/or reporting procedures for mitigation adopted as conditions of approval in order to mitigate or avoid significant environmental impacts. This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide a vehicle by which to monitor mitigation measures (MMs) outlined in the Santa Ana Off-Premises Commercial Advertising Signs (Billboards) Ordinance Update Project Initial Study and Mitigated Negative Declaration (IS/MND). The MMRP has been prepared in conformance with Section 21081.6 of the Public Resources Code and City of Santa Ana Monitoring Requirements. Specifically, Section 21081.6 states:

- (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.

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 Santa Ana is the Lead Agency for the project and is therefore responsible for ensuring the implementation of 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 is comprised of the Mitigation Program and includes measures to implement and monitor the Mitigation Program. The MMRP defines the following for each MM:

- **Definition of Mitigation.** The Mitigation Measure contain 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, an applicant would be the responsible party for implementing the mitigation, and the City of Santa Ana or designated representative would be responsible for monitoring the performance and implementation of the mitigation measure. To guarantee that the mitigation 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 or the 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 agencies with permitting authority over the specific activity.

The numbering system in the table 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 Santa Ana. The completed MMRP and supplemental documents will be kept on file at the City of Santa Ana Planning and Building Agency, Planning Division.

SANTA ANA BILLBOARDS ORDINANCE  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
Air Quality					
<p><b>SC AQ-1: Dust Control.</b> During construction, construction contractors shall comply with South Coast Air Quality Management District (SCAQMD) Rules 402 and 403 in order to minimize construction emissions of dust and particulates. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off-site. Rule 402 prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.</p> <p>SCAQMD Rule 403 requires that fugitive dust be controlled with Best Available Control Measures so that the presence of such dust does not remain visible beyond the property line of the emission source. This rule is intended to reduce PM<sub>10</sub> emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. This requirement shall be included as notes on the contractor specifications. Table 1 of Rule 403 lists the Best Available Control Measures that are applicable to all construction projects. The measures include, but are not limited to, the following:</p> <ul style="list-style-type: none"><li>a. Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.</li><li>b. All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.</li><li>c. All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.</li><li>d. The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.</li></ul>	During construction	Best available control measures shown on construction plans  Site inspections	Planning and Building Agency		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
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e. Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.					
<b>Cultural Resources</b>					
<b>SC CR-1:</b> California Health and Safety Code Section 7050.5, CEQA Guidelines Section 15064.5, and Public Resources Code Section 5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered, disturbance of the site shall be halted until the coroner has conducted an investigation into the circumstances, manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Public Resources Code Section 5097.98. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.	During construction/ ground disturbance activities	Site inspections	Planning and Building Agency		
<b>MM CR-1:</b> Prior to the issuance of a grading permit or permit for ground disturbance activities for a billboard, the applicant shall provide evidence to the City of Santa Ana that a qualified professional (i.e., archaeologist, historian, architect, Native American Tribal monitor), has been retained. The selection of the qualified professional(s) shall be subject to the acceptance of the City. In the event that cultural resources (archaeological, historical, paleontological) are inadvertently unearthed during excavation and grading activities of any future development project, the contractor, monitor, or archaeologist shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The qualified professional shall be contacted to evaluate the significance of the finding and appropriate course of action. Any unique archaeological resource that is discovered shall be treated in accordance with PRC 21083.2. If avoidance of the resource(s) is not feasible, salvage operation	Prior to issuance of the first grading permit or permit for ground disturbance activities  During excavation and grading activities	Qualified Professional Contract  Site inspections	Planning and Building Agency		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
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requirements pursuant to Section 15064.5 of the State CEQA Guidelines shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.					
<b>Geology and Soils: Paleontology</b>					
<b>MM GEO-1:</b> Prior to the issuance of a grading permit or permit for ground disturbance activities for a billboard, the applicant shall provide evidence to the City of Santa Ana that a qualified professional paleontologist has been retained. The selection of the qualified professional(s) shall be subject to the acceptance of the City. In the event that paleontological are inadvertently unearthed during excavation and grading activities of any future development project, the paleontologist or contractor shall temporarily cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The qualified professional shall be contacted to evaluate the significance of the finding an appropriate course of action. If avoidance of the resource(s) is not feasible, salvage operation requirements pursuant to Section 15064.5 of the State CEQA Guidelines shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.	Prior to issuance of the first grading permit or permit for ground disturbance activities  During excavation and grading activities	Grading Permit review/approval  Site inspections	Planning and Building Agency		
<b>Hazards and Hazardous Materials</b>					
<b>MM HAZ-1:</b> The applicant shall retain a qualified environmental consultant to prepare a Soil Management Plan for Contaminated Soils (SMP) for any proposed billboard. The SMP shall be submitted to the City of Santa Ana Planning and Building Agency for review and approval prior to the commencement of excavation and grading activities. The SMP shall be implemented during excavation and grading activities on the project site to ensure that any contaminated soils are properly identified, excavated, and disposed of off of the site.	Prior to issuance of the first grading permit or permit for ground disturbance activities  During excavation and grading activities	Grading Permit review/approval  Approved Soil Management Plan  Implementation of Soil Management Plan during excavation and grading activities	Planning and Building Agency		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
Noise					
SC N-1: All construction activities should be limited to the hours between the hours of 7 a.m. and 8:00 p.m., Monday through Saturday, and no time on Sunday or a federal holiday per Santa Ana Municipal Code Chapter 18-314.	During construction	Site inspections	Planning and Building Agency		