
CHAPTER 4 Mitigation Monitoring and Reporting Program

4.1 INTRODUCTION

The *California Environmental Quality Act* (CEQA) requires the adoption of feasible mitigation measures to reduce the severity and magnitude of potentially significant environmental impacts associated with project development. The Final Environmental Impact Report (Final EIR) for the proposed Metro East Mixed Use Overlay Zone EIR (State Clearinghouse No.2006031041) located within the City of Santa Ana (City), includes program and project-specific mitigation measures to reduce the potential environmental effects of the Overlay Zone, as well as the First and Cabrillo Towers Project.

Monitoring of the implementation of adopted mitigation measures is required by Public Resources Code Section 21081.6. The Final EIR for the proposed project provides a list of mitigation measures, and describes the process whereby the mitigation measures would be monitored. Following certification of the Final EIR and approval of this Mitigation Monitoring Program (MMP) by the City, the mitigation measures included in the Final EIR would be monitored as described in this MMP. It should be noted that because this EIR contained program- and project-level components, two separate MMP tables are presented as part of this MMP for the Overlay Zone and for the First and Cabrillo Towers project.

4.2 PURPOSE

The purpose of the proposed Overlay Zone EIR MMP is to ensure compliance with all mitigation measures to mitigate or avoid potentially significant adverse environmental impacts resulting from the proposed project that were identified in the Final EIR. Implementation of this MMP shall be accomplished by the City of Santa Ana. Mitigation measures will be implemented (1) as part of design development of the project, (2) during project construction, or (3) as part of project operations.

4.3 RESPONSIBILITIES AND DUTIES

In general, monitoring will consist of demonstrating that mitigation measures were implemented, and that the responsible unit monitored the implementation of the measures. The responsible unit for determining compliance with all mitigation measures will be the City. Monitoring will consist of determining whether

- The specific issues identified in the mitigation measures were considered in the design development phase
- Construction contracts included the provisions specified in the mitigation measures
- The required actions specified in the mitigation measures occurred prior to or during construction
- Ongoing administrative activities included the provisions identified in the mitigation measures

Any concerns between monitors and construction personnel shall be addressed by the City of Santa Ana, Planning Department.

4.4 LIST OF MITIGATION MEASURES

As mentioned above, due to the program- and project-level components of this EIR, the MMP has been divided into two parts to address each component separately. The mitigation measures that pertain to implementation of the Overlay Zone and their method of implementation are listed in Table 4-1. The mitigation measures, which include several mitigation measures from the program-level component, that pertain to the First and Cabrillo Towers project are listed in Table 4-2. All project-specific mitigation measures included in the Final EIR for this project would be monitored as described above.

The mitigation monitoring matrix on the following pages is formatted to parallel the format of the Executive Summary table contained in the Final EIR. The matrix identifies the required mitigation measures, the time frame for monitoring, and the responsible monitoring agencies.

It should be noted that the mitigation measures from Volume I that are contained within Table 4-2 have been modified slightly so as to directly apply to the First and Cabrillo Towers project. The content and action required by each mitigation measure have not been modified.

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<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Monitoring Party</i>	<i>Implementing Party</i>	<i>Mitigation Timing</i>
Aesthetics				
Impact 4.1-3: Implementation of the proposed project would result in new sources of increased daytime glare.	MM-OZ 4.1-1 Proposed new structures shall be designed to maximize the use of textured or other non-reflective exterior surfaces and non-reflective glass.	Planning and Building Agency	Project Applicant	During Project Design and Construction
Impact 4.1-4: Implementation of the proposed project would result in new sources of increased nighttime light.	MM-OZ 4.1-2 All exterior lighting and advertising (including signage) shall be directed onto the specific location intended for illumination (e.g., parking lots, driveways, and walkways) and shielded away from adjacent properties and public rights-of-way to minimize light spillover onto adjacent areas.	Planning and Building Agency	Project Applicant	During Project Design and Construction
	<p>MM-OZ 4.1-3 Prior to issuance of a Site Development Permit for each specific development project, the applicant shall submit a lighting plan to the City of Santa Ana for review and approval. The plan shall specify the lighting type and placement to ensure that the effects of security and other outdoor lighting are minimized on adjacent uses and do not create spillover effects. The plan shall specifically incorporate the following design features:</p> <ul style="list-style-type: none"> ▪ All projects shall incorporate project design features to shield light and/or glare from vehicles entering or exiting parking lots and structures that face sensitive uses (e.g., schools, hospitals, senior housing, or other residential properties) by providing barriers so that light from vehicle headlights would not illuminate off-site sensitive uses. <p>All projects shall incorporate project design features to provide landscaping, physical barriers, screening, or other buffers to minimize project-generated illumination from entering off-site areas and to prevent glare or interference with vehicular traffic, in accordance with the City's Municipal Code.</p>	Planning and Building Agency	Project Applicant	Prior to Issuance of Site Development Permit
Impact 4.1-5: Implementation of the proposed project could result in a substantial increase in shade/shadows over sensitive uses.	MM-OZ 4.1-4 Prior to issuance of a building permit each project shall be required to perform a shade and shadow analysis that demonstrates that the project will not result in significant impacts according to the following criteria. Shadowing impacts in the Overlay Zone are considered significant when shadows would be cast upon potentially sensitive uses during a substantial portion (greater than 50 percent) of the main daylight hours (9:00 a.m. to 3:00 p.m. during the fall, winter, and spring seasons, and 9:00 a.m. to 5:00 p.m. [daylight savings time] during the summer season). Light sensitive uses are those that depend upon light for their operation (e.g., solar panels) or for which solar access is essential for their function (e.g.,	Planning and Building Agency	Project Applicant	Prior to Issuance of a Building Permit

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	swimming pools). Light-sensitive uses also include public parks, residences, and routinely useable outdoor spaces associated with residences (e.g., yards).			
Air Quality				
Impact 4.2-3: Construction and operation of the proposed project would not create objectionable odors affecting a substantial number of people.	MM-OZ 4.2-1 Trash receptacles within the Overlay Zone will be required to have lids that enable convenient collection and loading and will be emptied on a regular basis, in compliance with City of Santa Ana regulations for the collection of solid waste.	Planning and Building Agency	Project Applicant	During Operation
Impact 4.2-4: Construction activities associated with the proposed project would exceed South Coast Air Quality Management District Standards for VOC and NOX, and would result in a projected air quality violation. This is considered a potentially significant impact. Compliance with the identified project requirement and implementation of mitigation measures MM-OZ 4.2.2 through MM-OZ 4.2.16 would reduce this impact, but not to a less-than-significant level. Therefore, this impact would be considered significant and unavoidable.	MM-OZ 4.2-2 The developer shall require by contract specifications that all diesel-powered equipment used would be retrofitted with after-treatment products (e.g., engine catalysts and other technologies available at the time construction commences) when construction activities commence. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.	Planning and Building Agency	Project Applicant	Prior to Construction
	MM-OZ 4.2-3 The developer shall require by contract specifications that all heavy-duty diesel-powered equipment operating and refueling at the project site would use low-NO _x diesel fuel to the extent that it is readily available and cost effective (up to 125 percent of the cost of California Air Resources Board diesel) in the South Coast Air Basin at the time construction activities commence. This requirement shall not apply to diesel-powered trucks traveling to and from the project site. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.	Planning and Building Agency	Project Applicant	Prior to Construction
	MM-OZ 4.2-4 The developer shall require by contract specifications that alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) would be utilized to the extent feasible in the South Coast Air Basin at the time construction activities commence. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.	Planning and Building Agency	Project Applicant	Prior to Construction

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	<p>MM-OZ 4.2-5 The developer shall require by contract specifications that construction equipment engines will be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.</p> <p>MM-OZ 4.2-6 The developer shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 5 minutes. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.</p> <p>MM-OZ 4.2-7 The developer shall require by contract specifications that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.</p> <p>MM-OZ 4.2-8 The developer shall require by contract specifications that construction parking be configured to minimize traffic interference during the construction period and, therefore, reduce idling of traffic. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.</p> <p>MM-OZ 4.2-9 The developer shall require by contract specifications that temporary traffic controls are provided, such as a flagperson, during all phases of construction to maintain smooth traffic flow. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.</p> <p>MM-OZ 4.2-10 The developer shall require by contract specifications that construction activities that affect traffic flow on the arterial system be scheduled to off-peak hours (10 A.M. to 4 P.M.). Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.</p>	<p>Planning and Building Agency</p> <p>Planning and Building Agency</p> <p>Planning and Building Agency</p> <p>Planning and Building Agency/Public Works</p> <p>Planning and Building Agency/Public Works</p> <p>Planning and Building Agency/Public Works</p>	<p>Project Applicant</p> <p>Project Applicant</p> <p>Project Applicant</p> <p>Project Applicant</p> <p>Project Applicant</p> <p>Project Applicant</p>	<p>Prior to Construction</p> <p>Prior to Construction</p> <p>Prior to Construction</p> <p>Prior to Construction</p> <p>Prior to Construction</p> <p>Prior to Construction</p>

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	<p>MM-OZ 4.2-11 The developer shall require by contract specifications that dedicated on-site and off-site left-turn lanes on truck hauling routes be utilized for movement of construction trucks and equipment on site and off site to the extent feasible during construction activities. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana.</p> <p>MM-OZ 4.2-12 Upon issuance of building or grading permits, whichever is issued earliest; notification shall be mailed to owners and occupants of all developed land uses within ¼ mile of the Overlay Zone and the individual projects within the Overlay Zone providing a schedule for major construction activities that will occur through the duration of the construction period. In addition, the notification will include the identification and contact number for a community liaison and designated construction manager that would be available on site to monitor construction activities. The construction manager shall be responsible for complying with all project requirements related to PM₁₀ generation. The construction manager will be located at the on-site construction office during construction hours for the duration of all construction activities. Contract information for the community liaison and construction manager will be located at the construction office, City Hall, the police department, and a sign on site.</p> <p>MM-OZ 4.2-13 As required by South Coast Air Quality Management District Rule 403—Fugitive Dust, all construction activities that are capable of generating fugitive dust are required to implement dust control measures during each phase of project development to reduce the amount of particulate matter entrained in the ambient air. These measures include the following:</p> <ul style="list-style-type: none"> ▪ Limiting the amount of area disturbed during site grading to 10 acres per day ▪ Application of soil stabilizers to inactive construction areas ▪ Quick replacement of ground cover in disturbed areas ▪ Watering of exposed surfaces three times daily ▪ Watering of all unpaved haul roads three times daily ▪ Covering all stock piles with tarp ▪ Reduction of vehicle speed on unpaved roads ▪ Post signs on site, limiting traffic to 15 miles per hour or less ▪ Sweep streets adjacent to the project site at the end of the day if visible soil material is carried over to adjacent roads 	<p>Planning and Building Agency/Public Works</p> <p>Planning and Building Agency</p> <p>Planning and Building Agency</p>	<p>Project Applicant</p> <p>Project Applicant</p> <p>Project Applicant</p>	<p>Prior to Construction</p> <p>Upon Issuance of Building or Grading Permits</p> <p>During Grading, Construction and Project Implementation</p>

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	<ul style="list-style-type: none"> Cover or have water applied to the exposed surface of all trucks hauling dirt, sand, soil, or other loose materials prior to leaving the site to prevent dust from impacting the surrounding areas <p>Install wheel washers where vehicles enter and exit unpaved roads onto paved roads to wash off trucks and any equipment leaving the site each trip</p> <p>MM-OZ 4.2-14 The developer shall require by contract specifications that the architectural coating (paint and primer) products used would have a VOC rating of 100 grams per liter or less. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Santa Ana Planning and Building Agency staff.</p> <p>MM-OZ 4.2-15 The developer shall require by contract specifications that materials that do not require painting be used during construction to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Santa Ana Planning and Building Agency staff.</p> <p>MM-OZ 4.2-16 The developer shall require by contract specifications that pre-painted construction materials be used to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Santa Ana Planning and Building Agency staff.</p>	<p>Planning and Building Agency</p> <p>Planning and Building Agency</p> <p>Planning and Building Agency</p>	<p>Project Applicant</p> <p>Project Applicant</p> <p>Project Applicant</p>	<p>Prior to Construction</p> <p>Prior to Construction</p> <p>Prior to Construction</p>
Biological Resources				
Impact 4.3-1: Implementation of the proposed project would not result in a potential reduction in nesting opportunities for resident and migratory avian species of special concern.	<p>MM-OZ 4.3-1 To ensure that avian species of concern, protected migratory species (e.g., MBTA), or raptors species are not injured or disturbed by construction in the vicinity of nesting habitat, the project applicant shall implement the following measures:</p> <ol style="list-style-type: none"> When feasible, all tree removal shall occur between August 30 and February 15 to avoid the breeding season of any raptor species that could be using the area, and to discourage hawks from nesting in the vicinity of an upcoming construction area. This period may be modified with the authorization of the DFG; or if it is not feasible to remove trees outside this window then, prior to the beginning of mass grading, including grading for major infrastructure improvements, during the period between February 15 and August 30, all trees within 350 feet of any grading or earthmoving 	Planning and Building Agency/CDFG	Project Applicant	Prior to and during Construction

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	<p>activity shall be surveyed for active raptor nests by a qualified biologist no more than 30 days prior to disturbance. If active raptor nests are found, and the site is within 350 feet of potential construction activity, a fence shall be erected around the tree(s) at a distance of up to 350 feet, depending on the species, from the edge of the canopy to prevent construction disturbance and intrusions on the nest area. The appropriate buffer shall be determined by the City in consultation with CDFG.</p> <ol style="list-style-type: none"> 2. No construction vehicles shall be permitted within restricted areas (i.e., raptor protection zones), unless directly related to the management or protection of the legally protected species. 3. In the event that a nest is abandoned, despite efforts to minimize disturbance, and if the nestlings are still alive, the developer shall contact CDFG and, subject to CDFG approval, fund the recovery and hacking (controlled release of captive reared young) of the nestling(s). 4. If a legally protected species nest is located in a tree designated for removal, the removal shall be deferred until after August 30th, or until the adults and young of the year are no longer dependent on the nest site as determined by a qualified biologist. 			
Cultural Resources				
Impact 4.4-1: Redevelopment of sites within the Overlay Zone could result in the demolition or major modification of historically-aged structures which have not yet been evaluated to determine their significance as defined by Section 15064.5 of the CEQA Guidelines, and this would be considered a significant impact.	MM-OZ 4.4-1 The City of Santa Ana shall require as part of the environmental review of development projects within the Overlay Zone that impacts to potentially significant historic resources be considered. If any existing structures on a proposed development site are at or approaching 50+ years of age at the time of CEQA review, the City shall consult with a qualified historian as to the potential significance of the structure and develop mitigation measures as necessary.	Planning and Building Agency	Project Applicant	During environmental review of future projects

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Impact 4.4-2: Implementation of the proposed project has the potential to cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines, and this would be considered a significant impact.	MM-OZ 4.4-2 Due to the lack of cultural resource studies for the project site and in order to avoid damaging any unidentified cultural resources, a qualified archaeologist should be retained to monitor any significant ground-disturbing activities in undeveloped areas within the Overlay Zone, and any deep (10' or deeper) ground-disturbing activities in all areas of the Overlay Zone.	Planning and Building Agency	Project Applicant	During Construction
	MM-OZ 4.4-3 In the event that archeological resources are unearthed during project subsurface activities, all earth-disturbing work within a 200-meter radius must be temporarily suspended or redirected until an archeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume.	Planning and Building Agency	Project Applicant	During Construction
Impact 4.4-3: Implementation of the proposed project has the potential to directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature and this would be considered a significant impact.	MM-OZ 4.4-4 In the event that paleontological resources are unearthed during subsurface construction activities, all earth-disturbing work within a 100-meter radius of the find must be temporarily suspended or redirected until a paleontologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume.	Planning and Building Agency	Project Applicant	During Construction
Impact 4.4-4: Construction activities under the proposed project could result in the disturbance of human remains interred outside of formal cemeteries.	MM-OZ 4.4-5 If human remains are unearthed, State Health and Safety Code Section 7050.5 require that 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 has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then contact the most likely descendant of the deceased Native American, who will then serve as consultant on how to proceed with the remains.	Planning and Building Agency/NAHC	Project Applicant	During Construction

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Geology and Soils				
Impact 4.5-1: Implementation of the proposed Overlay Zone could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic groundshaking.	<p>MM-OZ 4.5-1 During project-specific building design of future development in the Overlay Zone, site-specific geotechnical studies shall be conducted under the direct supervision of a California Registered Engineering Geologist or licensed geotechnical engineer to assess detailed seismic, geological, soil, and groundwater conditions at each construction site and develop recommendations to prevent or abate any identified hazards. The report shall specify foundation recommendations to ensure issues associated with underlying soils are addressed. Construction of the project shall comply with all recommendations in the geotechnical report. The study shall follow applicable recommendations of CDMG Special Publication 117 where applicable and shall include, but not necessarily be limited to</p> <ul style="list-style-type: none"> ▪ Determination of the locations of any suspected fault traces and anticipated ground acceleration at the building site ▪ Potential for displacement caused by seismically induced shaking, liquefaction, differential soil settlement, expansive and compressible soils, or other earth movements or soil constraints ▪ Evaluation of depth to groundwater 	Planning and Building Agency	Project Applicant	Prior to Issuance of Permits/During Project Design
Impact 4.5-5: Future development under the proposed Overlay Zone could be located on expansive soil.	MM-OZ 4.5-2 Developers within the Overlay Zone shall conduct expansion index tests in accordance with UBC Standard 18-2 prior to project construction. The design of structural elements of future projects shall include recommendations set forth by the expansion index tests.	Planning and Building Agency	Project Applicant	Prior to Project Construction
Hazards and Hazardous Materials				
Impact 4.6-2: Implementation of the proposed project could result in the exposure of future residents in the Overlay Zone to diesel exhaust emissions, which could pose a significant hazard.	MM-OZ 4.6-1 For future residential uses that are developed under the Overlay Zone within 500 feet of an existing freeway, a health risk assessment (HRA) for diesel exhaust shall be prepared. Recommendations contained within the HRA shall be implemented in project design.	Planning and Building Agency	Project Applicant	Prior to Issuance of Permits/During Project Design

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Impact 4.6-3: Construction activities associated with implementation of the proposed Overlay Zone could result in the release of hazardous materials to the environment through reasonably foreseeable upset and accident conditions.	<p>MM-OZ 4.6-2 Prior to the issuance of grading permits on any project site, the site developer(s) shall:</p> <ul style="list-style-type: none"> Investigate the project site to determine whether it or immediately adjacent areas have a record of hazardous material contamination via the preparation of a preliminary environmental site assessment (ESA), which shall be submitted to the City for review. If contamination is found the report shall characterize the site according to the nature and extent of contamination that is present before development activities precede at that site. If contamination is determined to be on site, the City, in accordance with appropriate regulatory agencies, shall determine the need for further investigation and/or remediation of the soils conditions on the contaminated site. If further investigation or remediation is required, it shall be the responsibility of the site developer(s) to complete such investigation and/or remediation prior to construction of the project. If remediation is required as identified by the local oversight agency, it shall be accomplished in a manner that reduces risk to below applicable standards and shall be completed prior to issuance of any occupancy permits. 	Planning and Building Agency	Project Applicant	Prior to Issuance of Grading Permits
	<p>MM-OZ 4.6-3 In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during construction of the proposed project, construction activities in the immediate vicinity of the contamination shall cease immediately. If contamination is encountered, a Risk Management Plan shall be prepared and implemented that (1) identifies the contaminants of concern and the potential risk each contaminant would pose to human health and the environment during construction and post-development and (2) describes measures to be taken to protect workers, and the public from exposure to potential site hazards. Such measures could include a range of options, including, but not limited to, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of contamination, if any, appropriate agencies shall be notified (e.g., City of Santa Ana Fire Department). If needed, a Site Health and Safety Plan that meets Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.</p>	Planning and Building Agency	Project Applicant	During construction

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Impact 4.6-7: Implementation of the proposed project could result in a safety hazard for people residing or working in the project area.	MM-OZ 4.6-4 For development of structures that exceed 200 feet in height above ground level at a development site, Applicants shall file a Notice of Proposed Construction or Alteration with the FAA (FAA Form 7460-1). Following the FAA's Aeronautical Study of the project, projects must comply with conditions of approval imposed or recommended by the FAA. Subsequent to the FAA findings, the City shall refer the project to the Airport Land Use Commission (ALUC) for Orange County for consistency analysis.	Planning and Building Agency / FAA/ALUC	Project Applicant	Prior to Construction
Impact 4.6-8: Implementation of the Overlay Zone could interfere with an adopted emergency response plan or emergency evacuation plan.	<p>MM-OZ 4.6-5 Prior to initiation of construction activities, any development within the Overlay Zone shall have a completed traffic control plan, prepared by the developer that will be implemented during construction activities. This may include, but is not limited to, the maintenance of at least one unobstructed lane 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 alternative routes.</p> <p>MM-OZ 4.6-6 The City Planning Department shall consult with the Santa Ana Police Department and the Santa Ana Fire 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 land or roadway closures.</p> <p>MM-OZ 4.6-7 The Santa Ana Fire Department, in consultation with other applicable City Departments (e.g., Police), shall update their Emergency Preparedness Plan prior to occupancy of the first project developed under the Overlay Zone, to address potential for accidental release of hazardous materials that may be used, stored, and/or transported in association with operation of project implementation.</p>	<p>Public Works</p> <p>Planning and Building Agency/Police Dept./Fire Dept.</p> <p>Fire Dept./Police Dept./Planning and Building Agency</p>	<p>Project Applicant</p> <p>Planning and Building Agency</p> <p>Fire Department</p>	<p>Prior to/During Construction</p> <p>Prior to/During Construction</p> <p>Prior to occupancy of the first project developed under the Overlay Zone</p>

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Hydrology and Water Quality				
Impact 4.7-1: Implementation of the proposed Overlay Zone would not violate water quality standards, waste discharge, or otherwise substantially degrade water quality.	<p>MM-OZ 4.7-1 In order to comply with the 2003 DAMP, future development projects in the Overlay Zone shall prepare Storm Drain Plans, Stormwater Pollution Prevention Plans (SWPPP), and Water Quality Management Plans (WQMP) conforming to the current National Pollution Discharge Elimination System (NPDES) requirements, prepared by a Licensed Civil Engineer or Environmental Engineer, shall be submitted to the Department of Public Works for review and approval.</p> <ul style="list-style-type: none"> a. A SWPPP shall be prepared and updated as needed during the course of construction to satisfy the requirements of each phase of the development. The plan shall incorporate all necessary Best Management Practices (BMPs) and other City requirements to eliminate polluted runoff until all construction work for the project is completed. The SWPPP shall include treatment and disposal of all dewatering operation flows, and for nuisance flows during construction. b. A WQMP shall be prepared, maintained, and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall incorporate water quality measures for all improved phases of the project. c. Location of the BMPs shall not be within the public right-of-way. 	Public Works	Project Applicant	Prior to Issuance of Permits
Impact 4.7-4: Future development in the Overlay Zone could alter the existing drainage pattern and potentially result in increased downstream flooding through the addition of impervious surfaces, or exceeding the capacity of existing or planned stormwater drainage systems.	<p>MM-OZ 4.7-2 Prior to issuance of grading permits, future development projects in the Overlay Zone shall submit a Hydrology and Hydraulic Study to the Public Works Department for review and approval. If existing facilities are not adequate to handle runoff that may be generated by the proposed development, then the applicant shall propose feasible remedies to assure that adequate drainage facilities will be available prior to issuance of occupancy permits. The applicant may propose storm drain improvements to be constructed in order to meet project needs. If necessary storm drain upgrades cannot be implemented prior to issuance of occupancy permits, on site detention facilities or other methods acceptable to the City shall be included with new development projects to ensure that post-construction runoff does not exceed pre-development quantities.</p>	Public Works	Project Applicant	Prior to Issuance of Grading Permits

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Noise				
Impact 4.9-1: Construction activities associated with the proposed project would generate noise levels that exceed the noise standards established by the City of Santa Ana Municipal Code.	MM OZ 4.9-1 Construction activities shall be limited to the following general restrictions. In the event that there is a conflict between the City of Santa Ana Municipal Code and the City of Tustin Municipal Code, the more restrictive measures shall be applied: <ul style="list-style-type: none"> All construction activity within the City shall be conducted in accordance with Section 18-314(e) of the City of Santa Ana Municipal Code. All construction activity within 200 feet of the City of Tustin Border shall be conducted in accordance with Section 4617(e) of the City of Tustin Municipal Code. 	Planning and Building Agency	Project Applicant	During Construction
	MM OZ 4.9-2 The project applicant shall require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels: <ul style="list-style-type: none"> Two weeks prior to the commencement of construction, notification must be provided to surrounding land uses within 1,000 feet of a project site disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the construction period. 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 8:00 A.M. and 5:00 P.M. 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 	Planning and Building Agency	Project Applicant	Prior to Issuance of Grading Permit

Table 4-1 Mitigation Monitoring Program for the Metro East Mixed Use Overlay Zone Component

<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Monitoring Party</i>	<i>Implementing Party</i>	<i>Mitigation Timing</i>
	<p>or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.</p> <ul style="list-style-type: none"> Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit. <p>MM OZ 4.9-3 The project applicant shall require by contract specifications that construction staging areas along with the operation of earthmoving equipment within the project area would be located as far away from vibration and noise sensitive sites as possible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.</p> <p>MM OZ 4.9-4 The project applicant 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 the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.</p>	<p>Planning and Building Agency</p> <p>Planning and Building Agency</p>	<p>Project Applicant</p> <p>Project Applicant</p>	<p>Prior to Issuance of Grading Permit</p> <p>Prior to Issuance of Grading Permit</p>
Impact 4.9-2: Operation of the proposed project could expose noise-sensitive land uses to noise levels that exceed the standards established by the City of Santa Ana General Plan.	<p>MM OZ 4.9-5 Where future residential uses would be construction in areas exposed to noise levels greater than 60 dBA CNEL, prior to issuance of building permits, building plans shall reflect the construction of noise barriers around patios and balconies. The barriers shall be constructed of materials that provide a surface density of at least four pounds per square foot and shall be continuous, without gaps or gates. The height of the barriers shall be sufficient to reduce the exterior noise levels to a CNEL of 65 dBA or less, and shall be determined by a qualified acoustical consultant as part of the final engineering design of the project.</p> <p>MM OZ 4.9-6 Prior to issuance of building permits, building plans shall specify the STC rating of windows and doors for all residential land uses. Window and door ratings shall be sufficient to reduce the interior noise level to a CNEL of 45 dBA or less, and shall be determined by a qualified acoustical consultant as part of the final engineering design of the project.</p> <p>MM OZ 4.9-7 The developer shall provide proper shielding for all new HVAC systems used by the proposed residential and mixed use buildings to achieve an attenuation of 15 dBA at 50 feet from the equipment.</p>	<p>Planning and Building Agency</p> <p>Planning and Building Agency</p> <p>Planning and Building Agency</p>	<p>Project Applicant</p> <p>Project Applicant</p> <p>Project Applicant</p>	<p>Prior to Issuance of Building Permits</p> <p>Prior to Issuance of Building Permits</p> <p>During Project Design and Construction</p>

Table 4-1 Mitigation Monitoring Program for the Metro East Mixed Use Overlay Zone Component

<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Monitoring Party</i>	<i>Implementing Party</i>	<i>Mitigation Timing</i>
Public Services				
Impact 4.11-3: Operation of the proposed project would require new or physically altered facilities to accommodate additional students in Tustin Unified School District (TUSD) schools. This is considered a potentially significant impact.	MM-OZ 4.11-1 Individual project developers shall pay school impact fees prior to the issuance of occupancy permits.	Planning and Building Agency	Project Applicant	Prior to Issuance of Occupancy Permits
Transportation/Traffic				
Impact 4.12-6: The proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation.	<p>MM-OZ 4.12-1 As part of the project, the City of Santa Ana and the project sponsors shall work with the transit providers to implement various transit-related measures to improve and expand bus system service within the Overlay Zone. These measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ Adding bus stops to the Overlay Zone along existing and proposed roadways ▪ Changing bus service headways to respond to increased demand ▪ Changing bus service destinations to respond to changing demand ▪ Adding local shuttle service for employees and patrons of the Overlay Zone <p>The details of bus service improvements shall be determined in coordination with OCTA. The following recommendations would help encourage public transit patronage for project-related trips:</p> <ul style="list-style-type: none"> ▪ Bus Stop Locations—Relocation of existing bus stops and the provision of additional bus stops should be considered to accommodate transit users at convenient locations. ▪ Days of Operation—The City should work with OCTA to consider changes to route times to serve nighttime and weekend project visitors and employees. ▪ Headway—The City should work with OCTA to review route headways to determine if it would be appropriate to reduce them to accommodate transit riders within the Overlay Zone. 	Public Works	Public Works	During implementation of the project

Table 4-1 Mitigation Monitoring Program for the Metro East Mixed Use Overlay Zone Component

<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Monitoring Party</i>	<i>Implementing Party</i>	<i>Mitigation Timing</i>
Impact 4.12-7: Implementation of the proposed project would cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system.	MM-OZ 4.12-2 Future development within the proposed Overlay Zone shall prepare separate traffic studies, specific to the individual projects that are proposed. The traffic studies for future projects shall be prepared by a qualified traffic engineer of the City's choosing. Further, and as determined by the traffic studies, the above identified improvement measures shall be implemented as a condition of the proposed development, either through the direct construction of improvements by the project applicant or through payment of a fee, as required by the program detailed in MM-OZ 4.12-4.	Public Works	Project Applicant	Prior to Issuance of Building Permits
	MM-OZ 4.12-3 The City of Santa Ana Planning Department, in cooperation with the Department of Public Works, shall monitor the traffic signals within the Overlay Zone Study Area once every five years to ensure that traffic signal timing is optimized.	Planning and Building Agency/Public Works	Planning and Building Agency/Public Works	Ongoing
	MM-OZ 4.12-4 The City of Santa Ana shall institute a program for systematic mitigation of impacts as development proceeds within the Overlay Zone to ensure mitigation of the individual improvements. The program shall prescribe the method of participation in the mitigation program by individual projects and guide the timely implementation of the mitigation measures. The program should include the following elements: <ul style="list-style-type: none"> ▪ A funding and improvement program should be established to identify financial resources adequate to construct all identified mitigation measures in a timely basis. ▪ The program should allow for acquisition of entire properties including business relocation where necessary to construct mitigation measures. Funds derived from sale of surplus acquired properties should be returned to the program. ▪ All properties that redevelop within the Overlay Zone should participate in the program on a fair share per new development trip basis. The fair share should be based upon the total cost of all identified mitigation measures, divided by the peak hour trip generation increase forecast. This rate per peak hour trip should be imposed upon the incremental traffic growth for any new development within the Overlay Zone. ▪ The program should include resources to conduct preliminary engineering studies to complete alignment studies and project specific environmental clearances for Tustin Avenue at 17th Street and at 4th Street. ▪ The program should raise funds from full development of the Overlay Zone to 	Planning and Building Agency/Public Works	Planning and Building Agency/Public Works	During Implementation of Project

Table 4-1 Mitigation Monitoring Program for the Metro East Mixed Use Overlay Zone Component

<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Monitoring Party</i>	<i>Implementing Party</i>	<i>Mitigation Timing</i>
	<p>fund all identified mitigation measures.</p> <ul style="list-style-type: none"> ▪ The program should monitor phasing development of the Overlay Zone and defer or eliminate improvements if the densities permitted in the Overlay Zone are not occurring. ▪ Program phasing should be monitored through preparation of specific project traffic impact studies for any project that is expected to include more than 100 dwelling units or 100,000 square feet of non-residential development. Traffic impact studies should use traffic generation rates that are deemed to be most appropriate for the actual development proposed. ▪ The program should initiate project development to assure timely completion of the improvements identified to be needed for the First and Cabrillo Towers project by 2010 or as soon after as practically feasible. ▪ Properties within Santa Ana and within one-half mile of the Overlay Zone that redevelop to result in higher traffic generation should also participate in the program to insure equity. ▪ The program should provide for full construction of projects outside of Santa Ana, if the Overlay Zone will create a traffic impact based upon the CMP. ▪ The program should provide fair share contribution to construction costs of other improvements outside of the Overlay Zone if they are identified in this traffic study but they are not impacted as defined by the CMP. ▪ The fair share contribution would presume participation by other developments outside of the City of Santa Ana (generally within the City of Tustin) in proportion to traffic growth at the affected sites. ▪ Traffic impact studies for future projects shall be prepared by a qualified traffic engineer approved or retained by the City. ▪ The City may elect to implement appropriate mitigation measures as a condition of approval of the proposed developments, where appropriate. All or part of the costs of these improvements may be considered to be a negotiated credit toward the program, however the Program must be administered in a manner that assures that it can fund necessary improvements to maintain adequate level of service at all intersections within this study. If funding of priority improvements cannot be assured, credit for construction of lower priority improvements may not be assured or may be postponed until more Program funds are available. ▪ Traffic studies for future developments within the Overlay Zone must also use 			

Table 4-1 Mitigation Monitoring Program for the Metro East Mixed Use Overlay Zone Component

<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Monitoring Party</i>	<i>Implementing Party</i>	<i>Mitigation Timing</i>
	trip generation rates which are specific for these projects and are approved by the City. The traffic consultant preparing traffic studies for specific projects in the Overlay Zone must use City-approved trip generation rates specific to these projects. These studies are subject to City review.			
Utilities and Service Systems				
Impact 4.13-4: Implementation of the Metro East Mixed Use Overlay Zone could require the construction of new or expanded wastewater conveyance systems, the construction of which would not cause significant environmental effects.	MM-OZ 4.13-1 The developer is required to undertake a site-specific sewer evaluation, including flow monitoring and modeling, may be required as part of the project design to determine the adequacy of the existing sewer pipe capacity in the affected project area lines.	Public Works/Orange County Sanitation District	Project Applicant	During Design and Prior to Implementation of the proposed project
Impact 4.13-8: Implementation of the Overlay Zone could increase the demand for electricity and gas, but would not require or result in the construction of new energy production or transmission facilities, the construction of which could cause a significant environmental impact.	MM-OZ 4.13-2 The project shall implement energy conservation measures (such as energy-efficient lighting and micro processor controlled HVAC equipment) to reduce the demand for electricity and natural gas. The energy conservation measures shall be subject to modification as new technologies are developed or if current technology becomes obsolete through replacement.	Planning and Building Agency	Project Applicant	Prior to Issuance of Building Permits

Table 4-2 Mitigation Monitoring Program for the First and Cabrillo Towers Project

<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Monitoring Party</i>	<i>Implementing Party</i>	<i>Mitigation Timing</i>
Aesthetics				
Impact 4.1-3: Implementation of the proposed project would result in new sources of increased daytime glare.	<p><u>Applicable Overlay Zone Mitigation Measures:</u></p> <p>MM-OZ 4.1-1 Proposed new structures shall be designed to maximize the use of textured or other non-reflective exterior surfaces and non-reflective glass.</p> <p><u>Project-Specific Mitigation Measures:</u></p> <p>No additional mitigation is required.</p>	Planning and Building Agency	Project Applicant	During Project Design and Construction
Impact 4.1-4: Implementation of the proposed project would result in new sources of increased nighttime light.	<p><u>Applicable Overlay Zone Mitigation Measures:</u></p> <p>MM-OZ 4.1-2 All exterior lighting and advertising (including signage) shall be directed onto the specific location intended for illumination (e.g., parking lots, driveways, and walkways) and shielded away from adjacent properties and public rights-of-way to minimize light spillover onto adjacent areas.</p> <p>MM-OZ 4.1-3 Prior to issuance of a permit, the applicant shall submit a lighting plan to the City of Santa Ana for review and approval. The plan shall specify the lighting type and placement to ensure that the effects of security and other outdoor lighting are minimized on adjacent uses and do not create spillover effects. The plan shall specifically incorporate the following design features:</p> <ul style="list-style-type: none"> ▪ Design features to shield light and/or glare from vehicles entering or exiting parking lots and structures that face sensitive uses (e.g., schools, hospitals, senior housing, or other residential properties) by providing barriers so that light from vehicle headlights would not illuminate off-site sensitive uses. ▪ Design features to provide landscaping, physical barriers, screening, or other buffers to minimize project-generated illumination from entering off-site areas and to prevent glare or interference with vehicular traffic, in accordance with the City's Municipal Code. <p><u>Project-Specific Mitigation Measures:</u></p> <p>No additional mitigation is required.</p>	<p>Planning and Building Agency</p> <p>Planning and Building Agency</p>	<p>Project Applicant</p> <p>Project Applicant</p>	<p>During Design and Construction</p> <p>Prior to Issuance of Site Development Permit</p>
Air Quality				
Impact 4.2-5: Construction and operation of the proposed project would not create objectionable odors affecting a substantial	<p><u>Applicable Overlay Zone Mitigation Measures:</u></p> <p>MM-OZ 4.2-1 Trash receptacles within the project area will be required to have lids that enable convenient collection and loading and will be emptied on a regular basis, in compliance with City of Santa Ana regulations for the collection of solid</p>	Planning and Building Agency	Project Applicant	During Operation

Table 4-2 Mitigation Monitoring Program for the First and Cabrillo Towers Project

Impacts	Mitigation Measures	Monitoring Party	Implementing Party	Mitigation Timing
number of people.	<p>waste.</p> <p><u>Project-Specific Mitigation Measures:</u></p> <p>No additional mitigation is required.</p>			
Impact 4.2-6: Construction activities associated with the proposed project would exceed South Coast Air Quality Management District Standards for VOC and NOX, and would result in a projected air quality violation. This is considered a potentially significant impact.	<p><u>Applicable Overlay Zone Mitigation Measures:</u></p> <p>MM-OZ 4.2-2 The developer shall require by contract specifications that all diesel-powered equipment used would be retrofitted with after-treatment products (e.g., engine catalysts and other technologies available at the time construction commences) when construction activities commence. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.</p> <p>MM-OZ 4.2-3 The developer shall require by contract specifications that all heavy-duty diesel-powered equipment operating and refueling at the project site would use low-NOX diesel fuel to the extent that it is readily available and cost effective (up to 125 percent of the cost of California Air Resources Board diesel) in the South Coast Air Basin at the time construction activities commence. This requirement shall not apply to diesel-powered trucks traveling to and from the project site. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.</p> <p>MM-OZ 4.2-4 The developer shall require by contract specifications that alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) would be utilized to the extent feasible in the South Coast Air Basin at the time construction activities commence. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.</p> <p>MM-OZ 4.2-5 The developer shall require by contract specifications that construction equipment engines will be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.</p> <p>MM-OZ 4.2-6 The developer shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five</p>	<p>Planning and Building Agency</p> <p>Planning and Building Agency</p> <p>Planning and Building Agency</p> <p>Planning and Building Agency</p> <p>Planning and Building Agency</p>	<p>Project Applicant</p> <p>Project Applicant</p> <p>Project Applicant</p> <p>Project Applicant</p> <p>Project Applicant</p>	<p>Prior to Construction</p> <p>Prior to Construction</p> <p>Prior to Construction</p> <p>Prior to Construction</p> <p>Prior to Construction</p>

Table 4-2 Mitigation Monitoring Program for the First and Cabrillo Towers Project

<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Monitoring Party</i>	<i>Implementing Party</i>	<i>Mitigation Timing</i>
	minutes. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.			
	MM-OZ 4.2-7 The developer shall require by contract specifications that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.	Planning and Building Agency	Project Applicant	Prior to Construction
	MM-OZ 4.2-8 The developer shall require by contract specifications that construction parking be configured to minimize traffic interference during the construction period and, therefore, reduce idling of traffic. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.	Planning and Building Agency/Public Works	Project Applicant	Prior to Construction
	MM-OZ 4.2-9 The developer shall require by contract specifications that temporary traffic controls are provided, such as a flag person, during all phases of construction to maintain smooth traffic flow. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.	Planning and Building Agency/Public Works	Project Applicant	Prior to Construction
	MM-OZ 4.2-10 The developer shall require by contract specifications that construction activities that affect traffic flow on the arterial system be scheduled to off-peak hours (10 A.M. to 4 P.M.). Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.	Planning and Building Agency/Public Works	Project Applicant	Prior to Construction
	MM-OZ 4.2-11 The developer shall require by contract specifications that dedicated on-site and off-site left-turn lanes on truck hauling routes be utilized for movement of construction trucks and equipment on site and off site to the extent feasible during construction activities. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Santa Ana Planning and Building Agency staff.	Planning and Building Agency/Public Works	Project Applicant	Prior to Construction
	MM-OZ 4.2-12 Upon issuance of building or grading permits, whichever is issued earliest; notification shall be mailed to owners and occupants of all developed land uses within ¼ mile of the Overlay Zone and the individual projects within the Overlay Zone providing a schedule for major construction activities that will occur through the duration of the construction period. In addition, the notification will	Planning and Building Agency	Project Applicant	Upon Issuance of Building or Grading Permits

<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Monitoring Party</i>	<i>Implementing Party</i>	<i>Mitigation Timing</i>
	<p>include the identification and contact number for a community liaison and designated construction manager that would be available on site to monitor construction activities. The construction manager shall be responsible for complying with all project requirements related to PM10 generation. The construction manager will be located at the on-site construction office during construction hours for the duration of all construction activities. Contract information for the community liaison and construction manager will be located at the construction office, City Hall, the police department, and a sign on site.</p> <p>MM-OZ 4.2-13 As required by South Coast Air Quality Management District Rule 403—Fugitive Dust, all construction activities that are capable of generating fugitive dust are required to implement dust control measures during each phase of project development to reduce the amount of particulate matter entrained in the ambient air. These measures include the following:</p> <ul style="list-style-type: none"> ▪ Limiting the amount of area disturbed during site grading to 10 acres per day ▪ Application of soil stabilizers to inactive construction areas ▪ Quick replacement of ground cover in disturbed areas ▪ Watering of exposed surfaces three times daily ▪ Watering of all unpaved haul roads three times daily ▪ Covering all stock piles with tarp ▪ Reduction of vehicle speed on unpaved roads ▪ Post signs on site, limiting traffic to 15 miles per hour or less ▪ Sweep streets adjacent to the project site at the end of the day if visible soil material is carried over to adjacent roads ▪ Cover or have water applied to the exposed surface of all trucks hauling dirt, sand, soil, or other loose materials prior to leaving the site to prevent dust from impacting the surrounding areas ▪ Install wheel washers where vehicles enter and exit unpaved roads onto paved roads to wash off trucks and any equipment leaving the site each trip <p>MM-OZ 4.2-14 The developer must require by contract specifications that the architectural coating (paint and primer) products used would have a VOC rating of 100 grams per liter or less. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Santa Ana Planning and Building Agency staff.</p>	<p>Planning and Building Agency</p> <p>Planning and Building Agency</p>	<p>Project Applicant</p> <p>Project Applicant</p>	<p>During grading, construction and project Implementation</p> <p>Prior to Construction</p>

Table 4-2 Mitigation Monitoring Program for the First and Cabrillo Towers Project

Impacts	Mitigation Measures	Monitoring Party	Implementing Party	Mitigation Timing
	<p>MM-OZ 4.2-15 The developer shall require by contract specifications that materials that do not require painting be used during construction to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Santa Ana Planning and Building Agency staff.</p>	Planning and Building Agency	Project Applicant	Prior to Construction
	<p>MM-OZ 4.2-16 The developer shall require by contract specifications that pre-painted construction materials be used to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Santa Ana Planning and Building Agency staff.</p> <p><u>Project-Specific Mitigation Measures:</u></p> <p>No additional feasible mitigation is available.</p>	Planning and Building Agency	Project Applicant	Prior to Construction

Biological Resources

<p>Impact 4.3-1: Implementation of the proposed project would not result in a potential reduction in nesting opportunities for resident and migratory avian species of special concern.</p>	<p><u>Applicable Overlay Zone Mitigation Measures:</u></p> <p>MM-OZ 4.3-1 To ensure that avian species of concern, protected migratory species (e.g., MBTA), or raptors species are not injured or disturbed by construction in the vicinity of nesting habitat, the project applicant shall implement the following measures:</p> <ol style="list-style-type: none"> 1. When feasible, all tree removal shall occur between August 30 and February 15 to avoid the breeding season of any raptor species that could be using the area, and to discourage hawks from nesting in the vicinity of an upcoming construction area. This period may be modified with the authorization of the DFG; or if it is not feasible to remove trees outside this window then, prior to the beginning of mass grading, including grading for major infrastructure improvements, during the period between February 15 and August 30, all trees within 350 feet of any grading or earthmoving activity shall be surveyed for active raptor nests by a qualified biologist no more than 30 days prior to disturbance. If active raptor nests are found, and the site is within 350 feet of potential construction activity, a fence shall be erected around the tree(s) at a distance of up to 350 feet, depending on the species, from the edge of the canopy to prevent construction disturbance and intrusions on the nest area. The appropriate buffer shall be determined by the City in consultation with CDFG. 2. No construction vehicles shall be permitted within restricted areas (i.e., raptor 	<p>Planning and Building Agency / CDFG</p>	<p>Project Applicant</p>	<p>Prior to and during Project Construction</p>
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Table 4-2 Mitigation Monitoring Program for the First and Cabrillo Towers Project

Impacts	Mitigation Measures	Monitoring Party	Implementing Party	Mitigation Timing
	<u>Project-Specific Mitigation Measures:</u> No additional mitigation is required.			
Impact 4.4-3: Construction activities under the proposed project could result in the disturbance of human remains interred outside of formal cemeteries.	<u>Applicable Overlay Zone Mitigation Measures:</u> MM-OZ 4.4-5 If human remains are unearthed, State Health and Safety Code Section 7050.5 require that 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 has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then contact the most likely descendant of the deceased Native American, who will then serve as consultant on how to proceed with the remains. <u>Project-Specific Mitigation Measures:</u> No additional mitigation is required.	Planning and Building Agency/NAHC	Project Applicant	During Construction
Geology and Soils				
Impact 4.5-1: Implementation of the proposed project could expose people and/or structures to potentially substantial adverse effects resulting from strong seismic groundshaking.	<u>Applicable Overlay Zone Mitigation Measures:</u> MM-OZ 4.5-1 A site-specific geotechnical study shall be conducted under the direct supervision of a California Registered Engineering Geologist or licensed geotechnical engineer to assess detailed seismic, geological, soil, and groundwater conditions and develop recommendations to prevent or abate any identified hazards. The report shall specify foundation recommendations to ensure issues associated with underlying soils are addressed. Construction of the project shall comply with all recommendations in the geotechnical report. The study shall follow applicable recommendations of CDMG Special Publication 117 where applicable and shall include, but not necessarily be limited to the following: <ul style="list-style-type: none"> ▪ Determination of the locations of any suspected fault traces and anticipated ground acceleration at the building site ▪ Potential for displacement caused by seismically induced shaking, liquefaction, differential soil settlement, expansive and compressible soils, or other earth movements or soil constraints ▪ Evaluation of depth to groundwater <u>Project-Specific Mitigation Measures:</u> No additional mitigation is required.	Planning and Building Agency	Project Applicant	Prior to Issuance of Grading Permit/During Project Design

Table 4-2 Mitigation Monitoring Program for the First and Cabrillo Towers Project

<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Monitoring Party</i>	<i>Implementing Party</i>	<i>Mitigation Timing</i>
Impact 4.5-5: The proposed development could be located on expansive soil.	<p><u>Applicable Overlay Zone Mitigation Measures:</u></p> <p>MM-OZ 4.5-2 The developer shall conduct expansion index tests in accordance with UBC Standard 18-2 prior to project construction. The design of structural elements shall include recommendations set forth by the expansion index tests.</p> <p><u>Project-Specific Mitigation Measures:</u></p> <p>No additional mitigation is required.</p>	Planning and Building Agency	Project Applicant	Prior to Project Construction
Hazards and Hazardous Materials				
Impact 4.6-2: Implementation of the proposed project would not result in the exposure of future residents to diesel exhaust emissions, which could pose a significant hazard.	<p><u>Applicable Overlay Zone Mitigation Measures:</u></p> <p>MM-OZ 4.6-1 A health risk assessment (HRA) for diesel exhaust shall be prepared. Recommendations contained within the HRA shall be implemented in project design.</p> <p><u>Project-Specific Mitigation Measures:</u></p> <p>No additional mitigation is required.</p>	Planning and Building Agency	Project Applicant	Prior to Issuance of Permits/During Project Design
Impact 4.6-3: Construction and operation of the proposed project could expose construction workers or the public to significant health and safety hazards through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	<p><u>Applicable Overlay Zone Mitigation Measures:</u></p> <p>MM-OZ 4.6-3 In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during construction of the proposed project, construction activities in the immediate vicinity of the contamination shall cease immediately. If contamination is encountered, a Risk Management Plan shall be prepared and implemented that (1) identifies the contaminants of concern and the potential risk each contaminant would pose to human health and the environment during construction and post-development and (2) describes measures to be taken to protect workers, and the public from exposure to potential site hazards. Such measures could include a range of options, including, but not limited to, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of contamination, if any, appropriate agencies shall be notified (e.g., City of Santa Ana Fire Department). If needed, a Site Health and Safety Plan that meets Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.</p> <p><u>Project-Specific Mitigation Measures:</u></p> <p>No additional mitigation is required.</p>	Planning and Building Agency	Project Applicant	During Construction

Table 4-2 Mitigation Monitoring Program for the First and Cabrillo Towers Project

Impacts	Mitigation Measures	Monitoring Party	Implementing Party	Mitigation Timing
Impact 4.6-5: Implementation of the proposed project could result in a safety hazard for people residing or working in the project area.	<p><u>Applicable Overlay Zone Mitigation Measures:</u></p> <p>MM-OZ 4.6-4 The applicant shall file a Notice of Proposed Construction or Alteration with the FAA (FAA Form 7460-1). Following the FAA's Aeronautical Study of the project, the project must comply with conditions of approval imposed or recommended by the FAA. Subsequent to the FAA findings, the City shall refer the project to the Airport Land Use Commission (ALUC) for Orange County for consistency analysis.</p> <p><u>Project-Specific Mitigation Measures:</u></p> <p>No additional mitigation is required.</p>	Planning and Building Agency /FAA/ALUC	Project Applicant	Project to be reviewed by ALUC between Planning Commission and City Council meetings to discuss project and EIR.
Impact 4.6-6: Construction of the proposed project could interfere with an adopted emergency response plan or emergency evacuation plan.	<p><u>Applicable Overlay Zone Mitigation Measures:</u></p> <p>MM-OZ 4.6-5 Prior to initiation of construction activities, the project shall have a completed traffic control plan, prepared by the developer, which will be implemented during construction activities. This may include, but is not limited to, the maintenance of at least one unobstructed lane 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 alternative routes.</p> <p>MM-OZ 4.6-6 The City Planning Division shall consult with the Santa Ana Police Department and the Santa Ana Fire 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 land or roadway closures.</p> <p><u>Project-Specific Mitigation Measures:</u></p> <p>No additional mitigation is required.</p>	<p>Public Works</p> <p>Planning and Building Agency/Police Dept./Fire Dept.</p>	<p>Project Applicant</p> <p>Planning and Building Agency</p>	<p>Prior to/During Construction</p> <p>Prior to/During Construction</p>
Hydrology and Water Quality				
Impact 4.7-1: Implementation of the proposed project would not violate water quality standards, waste discharge, or otherwise substantially degrade water	<p><u>Applicable Overlay Zone Mitigation Measures:</u></p> <p>MM-OZ 4.7-1 In order to comply with the 2003 DAMP, a Storm Drain Plan, a Stormwater Pollution Prevention Plan (SWPPP), and a Water Quality Management Plan (WQMP) conforming to the current National Pollution Discharge Elimination System (NPDES) requirements, prepared by a Licensed Civil Engineer or</p>	Public Works	Project Applicant	Prior to issuance of permits

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Impacts	Mitigation Measures	Monitoring Party	Implementing Party	Mitigation Timing
quality.	<p>Environmental Engineer, shall be submitted to the Department of Public Works for review and approval.</p> <p>(a) A SWPPP shall be prepared and updated as needed during the course of construction to satisfy the requirements of each phase of the development. The plan shall incorporate all necessary Best Management Practices (BMPs) and other City requirements to eliminate polluted runoff until all construction work for the project is completed. The SWPPP shall include treatment and disposal of all dewatering operation flows, and for nuisance flows during construction.</p> <p>(b) A WQMP shall be prepared, maintained, and updated as needed to satisfy the requirements of the adopted NPDES program. The plan shall incorporate water quality measures for all improved phases of the project.</p> <p>(c) Location of the BMPs shall not be within the public right-of-way.</p> <p><u>Project-Specific Mitigation Measures:</u></p> <p>No additional mitigation is required.</p>			
Impact 4.7-4: Development of the proposed project could alter the existing drainage pattern and potentially result in increased downstream flooding through the addition of impervious surfaces, or exceeding the capacity of existing or planned stormwater drainage systems.	<p><u>Applicable Overlay Zone Mitigation Measures from:</u></p> <p>MM-OZ 4.7-2 Prior to issuance of grading permits, the project applicant shall submit a Hydrology and Hydraulic Study to the Public Works Department for review and approval. If existing facilities are not adequate to handle runoff that may be generated by the proposed development, then the applicant shall propose feasible remedies to assure that adequate drainage facilities will be available prior to issuance of occupancy permits. The applicant may propose storm drain improvements to be constructed in order to meet project needs. If necessary storm drain upgrades cannot be implemented prior to issuance of occupancy permits, on site detention facilities or other methods acceptable to the City shall be included with new development projects to ensure that post-construction runoff does not exceed pre-development quantities.</p> <p><u>Project-Specific Mitigation Measures:</u></p> <p>No additional mitigation is required.</p>	Public Works	Project Applicant	Prior to Issuance of Grading Permits
Noise				
Impact 4.9-1 Construction activities associated with the proposed project would generate noise levels that exceed the noise	<p><u>Applicable Overlay Zone Mitigation Measures:</u></p> <p>MM-OZ 4.9-1 Construction activities shall be limited to the following general restrictions:</p>	Planning and Building Agency	Project Applicant	During Construction

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<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Monitoring Party</i>	<i>Implementing Party</i>	<i>Mitigation Timing</i>
standards established by the City of Santa Ana Noise Regulations.	<ul style="list-style-type: none"> All construction activity within the City shall be conducted in accordance with Section 18-314(e) of the City of Santa Ana Municipal Code. <p>MM-OZ 4.9-2 The project applicant shall require by 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"> Two weeks prior to the commencement of construction, notification must be provided to surrounding land uses within 1,000 feet of a project site disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the construction period. 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 8:00 A.M. and 5:00 P.M. 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 the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit. 	Planning and Building Agency	Project Applicant	Prior to Issuance of Grading Permit
	<p>MM-OZ 4.9-3 The project applicant shall require by contract specifications that construction staging areas along with the operation of earthmoving equipment within the project area would be located as far away from vibration and noise</p>			

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<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Monitoring Party</i>	<i>Implementing Party</i>	<i>Mitigation Timing</i>
	<p>sensitive sites as possible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.</p> <p>MM-OZ 4.9-4 The project applicant 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 the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.</p> <p><u>Project-Specific Mitigation Measures:</u></p> <p>No additional mitigation is required.</p>	Planning and Building Agency	Project Applicant	Prior to Issuance of Grading Permit
Impact 4.9-2: Operation of the proposed project would not expose residents on site to noise levels that exceed the standards established by the City of Santa Ana.	<p><u>Applicable Overlay Zone Mitigation Measures:</u></p> <p>MM-OZ 4.9-5 Where future residential uses would be construction in areas exposed to noise levels greater than 60 dBA CNEL, prior to issuance of building permits, building plans shall reflect the construction of noise barriers around patios and balconies. The barriers shall be constructed of materials that provide a surface density of at least four pounds per square foot and shall be continuous, without gaps or gates. The height of the barriers shall be sufficient to reduce the exterior noise levels to a CNEL of 65 dBA or less, and shall be determined by a qualified acoustical consultant as part of the final engineering design of the project.</p> <p>MM-OZ 4.9-6 Prior to issuance of building permits, building plans shall specify the STC rating of windows and doors for all residential land uses. Window and door ratings shall be sufficient to reduce the interior noise level to a CNEL of 45 dBA or less, and shall be determined by a qualified acoustical consultant as part of the final engineering design of the project.</p> <p>MM-OZ 4.9-7 The developer shall provide proper shielding for all new HVAC systems used by the proposed residential and mixed use buildings to achieve an attenuation of 15 dBA at 50 feet from the equipment.</p> <p><u>Project-Specific Mitigation Measures:</u></p> <p>No additional mitigation is required.</p>	<p>Planning and Building Agency</p> <p>Planning and Building Agency</p> <p>Planning and Building Agency</p>	<p>Project Applicant</p> <p>Project Applicant</p> <p>Project Applicant</p>	<p>Prior to Issuance of Building Permits</p> <p>Prior to Issuance of Building Permits</p> <p>During Project Design and Construction</p>

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<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Monitoring Party</i>	<i>Implementing Party</i>	<i>Mitigation Timing</i>
	<p>peak hour trip generation increase forecast. This rate per peak hour trip should be imposed upon the incremental traffic growth for any new development within the Overlay Zone.</p> <ul style="list-style-type: none"> ▪ The program should include resources to conduct preliminary engineering studies to complete alignment studies and project specific environmental clearances for Tustin Avenue at 17th Street and at 4th Street. ▪ The program should raise funds from full development of the Overlay Zone to fund all identified mitigation measures. ▪ The program should monitor phasing development of the Overlay Zone and defer or eliminate improvements if the densities permitted in the Overlay Zone are not occurring. ▪ Program phasing should be monitored through preparation of specific project traffic impact studies for any project that is expected to include more than 100 dwelling units or 100,000 square feet of non-residential development. Traffic impact studies should use traffic generation rates that are deemed to be most appropriate for the actual development proposed. ▪ The program should initiate project development to assure timely completion of the improvements identified to be needed for the First and Cabrillo Towers project by 2010 or as soon after as practically feasible. ▪ Properties within Santa Ana and within one-half mile of the Overlay Zone that redevelop to result in higher traffic generation should also participate in the program to insure equity. ▪ The program should provide for full construction of projects outside of Santa Ana, if the Overlay Zone will create a traffic impact based upon the CMP. ▪ The program should provide fair share contribution to construction costs of other improvements outside of the Overlay Zone if they are identified in this traffic study but they are not impacted as defined by the CMP. ▪ The fair share contribution would presume participation by other developments outside of the City of Santa Ana (generally within the City of Tustin) in proportion to traffic growth at the affected sites. ▪ Traffic impact studies for future projects shall be prepared by a qualified traffic engineer approved or retained by the City. ▪ The City may elect to implement appropriate mitigation measures as a condition of approval of the proposed developments, where appropriate. All or part of the costs of these improvements may be considered to be a negotiated 			

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Impacts	Mitigation Measures	Monitoring Party	Implementing Party	Mitigation Timing
	<p>credit toward the program, however the Program must be administered in a manner that assures that it can fund necessary improvements to maintain adequate level of service at all intersections within this study. If funding of priority improvements cannot be assured, credit for construction of lower priority improvements may not be assured or may be postponed until more Program funds are available.</p> <ul style="list-style-type: none"> Traffic studies for future developments within the Overlay Zone must also use trip generation rates which are specific for these projects and are approved by the City. The traffic consultant preparing traffic studies for specific projects in the Overlay Zone must use City-approved trip generation rates specific to these projects. These studies are subject to City review. <p>Project-Specific Mitigation Measures:</p> <p>MM 4.12-1 The project applicant shall make a fair share contribution for the construction of an eastbound right turn lane (approximately 300 feet in length) at the intersection of Fourth Street at SR-55 Southbound Ramps prior to the issuance of grading permits.</p> <p>MM 4.12-2 The project applicant shall make a fair share contribution for the construction of a raised median or other means such as diverter islands to prevent eastbound and westbound left turns and through movements at the intersection of Sixth Street at Tustin Avenue prior to the issuance of grading permits.</p>	Public Works	Project Applicant	Prior to Issuance of the first Certificate of Occupancy
		Public Works	Project Applicant	Prior to Issuance of the first Certificate of Occupancy
Impact 4.12-8: The proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation.	<p>Applicable Overlay Zone Mitigation Measures:</p> <p>MM-OZ 4.12-1 As part of the project, the City of Santa Ana and the project sponsors shall work with the transit providers to implement various transit-related measures to improve and expand bus system service within the Overlay Zone. These measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> Adding bus stops to the Overlay Zone along existing and proposed roadways Changing bus service headways to respond to increased demand Changing bus service destinations to respond to changing demand Adding local shuttle service for employees and patrons of the Overlay Zone <p>The details of bus service improvements shall be determined in coordination with OCTA. The following recommendations would help encourage public transit patronage for project-related trips:</p> <ul style="list-style-type: none"> Bus Stop Locations—Relocation of existing bus stops and the provision of additional bus stops should be considered to accommodate transit users at convenient locations. 	Public Works	Public Works	During Implementation of the Project

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	<ul style="list-style-type: none"> ▪ Days of Operation—The City should work with OCTA to consider changes to route times to serve nighttime and weekend project visitors and employees. <p>Headway—The City should work with OCTA to review route headways to determine if it would be appropriate to reduce them to accommodate transit riders within the Overlay Zone.</p> <p><u>Project-Specific Mitigation Measures:</u> No additional mitigation is required</p>			
Utilities and Service Systems				
Impact 4.13-4: Implementation of the Metro East Mixed use Overlay Zone could require the construction of new or expanded wastewater conveyance systems, the construction of which would not cause significant environmental effects.	<p><u>Applicable Overlay Zone Mitigation Measures:</u> No mitigation is required</p> <p><u>Project-Specific Mitigation Measures:</u> MM 4.13-4 A 6-inch building lateral shall be installed on-site for the purposes of conveying wastewater flows from the proposed project to the existing OCSD conveyance system.</p>	Public Works	Project Applicant	Prior to issuance of Building Permits
Impact 4.13-8: Implementation of the First and Cabrillo Tower could increase the demand for electricity, but would not require or result in the construction of new energy production or transmission facilities, the construction of which could cause a significant environmental impact.	<p><u>Applicable Overlay Zone Mitigation Measures:</u> MM-OZ 4.13-2 The project shall implement energy conservation measures (such as energy-efficient lighting and micro processor controlled HVAC equipment) to reduce the demand for electricity and natural gas. The energy conservation measures shall be subject to modification as new technologies are developed or if current technology becomes obsolete through replacement.</p> <p><u>Project-Specific Mitigation Measures:</u> No additional mitigation is required.</p>	Planning and Building Agency	Project Applicant	Prior to Issuance of Building Permits