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State Clearinghouse No. 2022100563

# City of Fountain Valley General Plan Update

City of Fountain Valley

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**City of Fountain Valley**

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# 1. Introduction

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## 1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in the Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2022100563. The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and the City of Fountain Valley Monitoring Requirements. 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.

## 1.2 EIR SUMMARY

### 1.2.1 Project Location

The City of Fountain Valley and its Sphere of Influence (SOI) are centrally located in the County of Orange and are bounded by the Santa Ana River to the east, the City of Huntington Beach to the west and south, and the City of Westminster to the north. Interstate 405 (I-405) bisects the City, running diagonally northwest to southeast.

### 1.2.2 Project Summary

The project is an update to the City of Fountain Valley's adopted General Plan. The General Plan is a state-required legal document that provides guidance to decision-makers regarding the allocation of resources and determining the future physical form and character of development in the City. It is the official statement of

## 1. Introduction

the City regarding the extent and types of development needed to achieve the community’s physical, economic, social, and environmental goals. Although the General Plan is composed of individual sections, or “elements,” that individually address a specific area of concern, the General Plan embodies a comprehensive and integrated planning approach for the jurisdiction.

The land use designations in the City of Fountain Valley will largely remain as designated under the current General Plan, with the addition of Very High Density Residential (VHDR), Mixed Use 1 (MU1), and Mixed Use 2 (MU2) designations. The General Plan Update would result in an increase of 6,238 units, 16,073 residents, 1,305,886 non-residential square footage, and 4,057 jobs.

### 1.3 ENVIRONMENTAL IMPACTS

#### 1.3.1 Impacts Considered Less Than Significant

The DEIR identified various thresholds from the CEQA Guidelines among a number of environmental categories that would not be significantly impacted by the proposed project as indicated in Chapter 5, *Environmental Analysis*, and Chapter 8, *Impacts Found Not to be Significant*, and therefore, did not require mitigation. Impacts to the following were found to be less than significant:

- Aesthetics
- Agriculture and Forestry Resources
- Biological Resources
- Energy
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Recreation
- Public Services
- Utilities and Service Systems
- Wildfire

#### 1.3.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

The DEIR identified various thresholds from the CEQA Guidelines among a number of environmental categories that could be reduced, avoided, or substantially lessened through the implementation of mitigation measures, as shown in Chapter 5, *Environmental Analysis*, and Chapter 8, *Impacts Found Not to be Significant*, of this DEIR.

- Cultural Resources
- Geology and Soils
- Tribal Cultural Resources

## 1. Introduction

### 1.3.3 Unavoidable Significant Adverse Impacts

The following topical area would remain significant and unavoidable after implementation of required mitigation, as identified in the DEIR:

- Air Quality
- Greenhouse Gas Emissions
- Noise
- Population and Housing
- Transportation

## 2. Mitigation Monitoring Process

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### 2.1 MITIGATION MONITORING PROGRAM ORGANIZATION

Overall MMRP management is the responsibility of the City of Fountain Valley. The City's technical consultants (CEQA consultant, etc.) may perform related monitoring tasks under the direction of the environmental monitor if they are contracted by the City.

### 2.2 CITY OF FOUNTAIN VALLEY

As the lead agency, the City is responsible for the review of all monitoring reports, enforcement actions and document disposition. The City will rely on information provided by individual monitors (e.g., CEQA consultant, etc.) as accurate and up to date, and will field check mitigation measure status, as required.

### 2.3 MITIGATION MONITORING TEAM

The mitigation monitoring team, consisting of the designated Project Manager (City Development Director) and Technical Consultants (CEQA consultant, etc.) are responsible for monitoring implementation and compliance with all adopted mitigation measures and conditions of approval. A major portion of the team's work is in-field monitoring and compliance report preparation. Implementation disputes are brought to the Project Manager, and any appeals would go to the City Manager and ultimately the Planning Commission and City Council.

#### 2.3.1 Monitoring Team

The following summarizes key positions in the MMRP and their respective functions:

- **Project Manager:** Responsible for coordination of mitigation monitoring team, technical consultants, report preparation, and overall program administration and document/report clearinghouse. The overall Project Manager is the Community Development Director who may delegate responsibilities as required to efficiently monitor the project mitigation measures.
- **Technical Consultants:** Responsible for monitoring in respective areas of expertise (CEQA consultant, project engineer, noise analyst/specialist). Report directly to the Project Manager.

#### 2.3.2 Recognized Experts

The use of recognized experts on the monitoring team is required to ensure compliance with scientific and engineering mitigation measures. The mitigation monitoring team's recognized experts assess compliance with required mitigation measures, and recognized experts from responsible agencies consult with the Project Manager regarding disputes.

## 2. Mitigation Monitoring Process

### 2.4 DISPUTE RESOLUTION

If the mitigation monitor determines that a mitigation measure, in the opinion of the monitor, has not been implemented or has not been implemented correctly, the problem will be brought before the Project Manager for resolution. The decision of the Project Manager is final unless appealed to the City Manager. The Project Manager will have the authority to issue stop-work order until the dispute is resolved.

### 2.5 ENFORCEMENT

Public agencies may enforce conditions of approval through their existing police power, using stop-work orders, fines, infraction citations, or in some cases, notice of violation for tax purposes.

## 3. Mitigation Monitoring Requirements

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### 3.1 PRE-MITIGATION MEETING

A pre-monitoring meeting will be scheduled to review mitigation measures, implementation requirements, schedule conformance, and mitigation monitoring committee responsibilities. Communication rules are established, the entire mitigation monitoring program is presented, and any misunderstandings are resolved.

### 3.2 CATEGORIZED MITIGATION MEASURES/MATRIX

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 3-1, *Mitigation Monitoring Requirements for the City of Fountain Valley General Plan Update*. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures. These mitigation measures are also contained in the Conditions of Approval matrix for the proposed project.

### 3.3 IN-FIELD MONITORING

Project monitors and technical subconsultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g., hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the Project Manager.

### 3.4 DATA BASE MANAGEMENT

All mitigation monitoring reports, letters, and memos shall be prepared utilizing Microsoft Word software.

### 3.5 COORDINATION WITH CONTRACTORS

The construction manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements for City of Fountain Valley General Plan Update**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>5.2 Air Quality</b>				
<p>AQ-1 Prior to discretionary approval by the City of Fountain Valley for development projects subject to CEQA (California Environmental Quality Act) review (i.e., nonexempt projects), project applicants shall prepare and submit a technical assessment evaluating potential project construction-related air quality impacts to the City of Fountain Valley Planning Department for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (South Coast AQMD) methodology for assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the South Coast AQMD–adopted thresholds of significance, the City of Fountain Valley building department shall require feasible mitigation measures to reduce air quality emissions. Potential measures shall be incorporated as conditions of approval for a project and may include:</p> <ul style="list-style-type: none"> <li>■ Require fugitive dust control measures that exceed South Coast Air Quality Management District’s Rule 403, such as:</li> <li>■ Requiring use of nontoxic soil stabilizers to reduce wind erosion.</li> <li>■ Applying water every four hours to active soil disturbing activities.</li> <li>■ Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.</li> <li>■ Using construction equipment rated by the United States Environmental Protection Agency as having Tier 4 interim or higher exhaust emission limits.</li> <li>■ Ensuring construction equipment is properly serviced and maintained to the manufacturer’s standards.</li> <li>■ Limiting nonessential idling of construction equipment to no more than five consecutive minutes.</li> <li>■ Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the South Coast Air Quality</li> </ul>	Project Applicant	Prior to discretionary approval by the City of Fountain Valley	City of Fountain Valley Community Development Department	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements for City of Fountain Valley General Plan Update**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Management District's website at: <a href="http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf">http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf</a>. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Planning Department.</p>				
<p>AQ-2 Prior to discretionary approval by the City of Fountain Valley for development projects subject to CEQA (California Environmental Quality Act) review (i.e., nonexempt projects), project applicants shall prepare and submit a technical assessment evaluating potential project operation-phase-related air quality impacts to the City of Fountain Valley Planning Department for review and approval. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (South Coast AQMD) methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the South Coast AQMD-adopted thresholds of significance, the City of Fountain Valley Planning Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the conditions of approval. Possible mitigation measures to reduce long-term emissions could include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>■ For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plug-in of the anticipated number of refrigerated trailers to reduce idling time and emissions.</li> <li>■ Applicants for manufacturing and light industrial uses shall consider energy storage and combined heat and power in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.</li> <li>■ Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with</li> </ul>	Project Applicant	Prior to discretionary approval by the City of Fountain Valley	City of Fountain Valley Community Development Department	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements for City of Fountain Valley General Plan Update**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>California Air Resources Board Rule 2845 (13 CCR Chapter 10 sec. 2485).</p> <ul style="list-style-type: none"> <li>■ Provide changing/shower facilities as specified in the Nonresidential Voluntary Measures of CALGreen.</li> <li>■ Provide bicycle parking facilities per the Nonresidential Voluntary Measures and Residential Voluntary Measures of CALGreen.</li> <li>■ Provide preferential parking spaces for low-emitting, fuel-efficient, and carpool/van vehicles per the Nonresidential Voluntary Measures of CALGreen.</li> <li>■ Provide facilities to support electric charging stations per the Nonresidential Voluntary Measures and Residential Voluntary Measures of CALGreen.</li> <li>■ Applicant-provided appliances shall be Energy Star-certified appliances or appliances of equivalent energy efficiency (e.g., dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star-certified or equivalent appliances shall be verified by the City during plan check.</li> </ul>				
<b>5.4 GEOLOGY AND SOILS</b>				
<p>GEO-1 <b>High Sensitivity.</b> Projects involving ground disturbances in previously undisturbed areas mapped as having "high" paleontological sensitivity shall be monitored by a qualified paleontological monitor during all ground disturbing activities. Monitoring shall include inspection of exposed sedimentary units during active excavations within sensitive geologic sediments. The monitor shall have authority to temporarily divert activity away from exposed fossils to evaluate the significance of the find and, if the fossils are determined to be significant, professionally and efficiently recover the fossil specimens and collect associated data. The paleontological monitor shall use field data forms to record pertinent location and geologic data, measure stratigraphic sections (if applicable), and collect appropriate sediment samples from any fossil localities.</p>	<p>Qualified Paleontologist</p>	<p>During all ground disturbing activities, in previously undisturbed areas mapped as having "high" paleontological sensitivity</p>	<p>City of Fountain Valley Community Development Department</p>	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements for City of Fountain Valley General Plan Update**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>GEO-2 <b>Low-to-High Sensitivity.</b> Prior to issuance of a grading permit for projects involving ground disturbance in previously undisturbed areas mapped with “low-to-high” paleontological sensitivity, the project applicant shall consult with a geologist or paleontologist to confirm whether the grading would occur at depths that could encounter highly sensitive sediments for paleontological resources. If confirmed that underlying sediments may have sensitivity, construction activity shall be monitored by a qualified paleontologist.</p>	<p>Qualified Paleontologist</p>	<p>Prior to the issuance of grading in areas mapped as having “low-to-high” paleontological sensitivity</p>	<p>City of Fountain Valley Community Development Department</p>	
<p>GEO-3 In the event of any fossil discovery, regardless of depth or geologic formation, ground disturbing activities shall halt within a 50-foot radius of the find until its significance can be determined by a qualified paleontologist. Significant fossils shall be recovered, prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility in accordance with the standards of the Society of Vertebrate Paleontology. The most likely repository is the Natural History Museum of Los Angeles County. The repository shall be identified, and a curatorial arrangement shall be signed prior to collection of the fossils.</p>	<p>Qualified Paleontologist</p>	<p>If fossils are discovered for all projects</p>	<p>City of Fountain Valley Community Development Department</p>	

**5.5 GREENHOUSE GAS EMISSIONS**

<p>GHG-1 The City of Fountain Valley shall prepare a Climate Action Plan (CAP) to achieve the GHG reduction targets of Senate Bill 32 and chart a trajectory to achieve the long-term GHG reduction goal set by AB 1279. The CAP shall be completed within 18 months of certification of the General Plan EIR. The CAP shall be updated every five years to ensure the City is monitoring the plan’s progress toward achieving the City’s greenhouse gas (GHG) reduction target and to require amendment if the plan is not achieving specified level. The update shall consider a trajectory consistent with the GHG emissions reduction goal established under SB 32 for year 2030, AB 1279 for year 2045, and the latest applicable statewide legislative GHG emission reduction that may be in effect at the time of the CAP update. The CAP update shall include the following:</p> <ul style="list-style-type: none"> <li>■ GHG invention ores of existing and forecast year GHG levels.</li> </ul>	<p>The City of Fountain Valley</p>	<p>Within 18 months of certification of the General Plan EIR</p>	<p>City of Fountain Valley Community Development Department</p>	
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### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements for City of Fountain Valley General Plan Update**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>■ Tools and strategies for reducing GHG emission to achieve the GHG reduction goals of the Senate Bill 32 for year 2030.</li> <li>■ Tools and strategies for reducing GHG emissions to ensure a trajectory with the long-term GHG reduction and carbon neutrality goal for year 2045 of Assembly Bill 1279</li> <li>■ Plan implementation guidance that includes, at minimum, the following components consistent with the proposed CAP:                             <ul style="list-style-type: none"> <li>● Administration and Staffing</li> <li>● Finance and Budgeting</li> <li>● Timelines for Measure Implementation</li> <li>● Community Outreach and Education</li> <li>● Monitoring, Reporting, and Adaptive Management</li> <li>● Tracking Tools</li> </ul> </li> </ul>				
<b>5.10 NOISE</b>				
<p>N-1</p> <p>Prior to issuance of demolition, grading and/or building permits on sites adjacent to sensitive receptors, a note shall be provided on construction plans indicating that during grading, demolition, and construction, the project applicant shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:</p> <ul style="list-style-type: none"> <li>■ During the entire permitted activity, equipment and trucks used for the project shall utilize the best available noise control techniques (e.g., improved mufflers, intake silencers, ducts, engine enclosures, and acoustical attenuation), wherever feasible.</li> <li>■ Require impact tools (e.g., jack hammers and hoe rams) that are hydraulically or electrically powered whenever feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.</li> </ul>	Project Applicant	Prior to issuance of demolition, grading, and/or building permits on sites adjacent to sensitive receptors	City of Fountain Valley Community Development Department	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements for City of Fountain Valley General Plan Update**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>■ Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.</li> <li>■ Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors.</li> <li>■ Prior to the start of construction activities, a sign shall be posted at the job site, clearly visible to the public, that includes permitted construction days and hours, as well as contact information for the City's Building Inspection Supervisor and contractor's authorized representative. If the authorized contractor's representative receives a noise or vibration complaint, they shall investigate, take appropriate corrective action, and report the action to the City.</li> <li>■ Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes.</li> <li>■ During the entire active construction period, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall be responsible for adjusting alarms based on the background noise level, or to utilize human spotters when feasible and in compliance with all safety requirements and laws.</li> <li>■ Erect temporary noise barriers, where feasible, when construction noise is predicted to exceed the established noise standards and when the anticipated construction duration is greater than is typical (e.g., two years or greater).</li> </ul>				
<p>N-2 Prior to issuance of a building permit for a project requiring pile driving during construction within 135 feet of fragile structures, such as historical resources, 100 feet of non-engineered timber and masonry buildings (e.g., most residential buildings), or within 75 feet of engineered concrete and masonry (no plaster); or a vibratory roller within 25 feet of any structure, the project applicant shall</p>	Project Applicant	Prior to issuance of a building permit for a project requiring pile driving during construction within 135 feet of fragile	City of Fountain Valley Community Development Department	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements for City of Fountain Valley General Plan Update**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>prepare a noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these activities. This noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed Federal Transit Administration (FTA) architectural damage thresholds (e.g., 0.12 inches per second [in/sec] peak particle velocity [PPV] for fragile or historical resources, 0.2 in/sec PPV for non-engineered timber and masonry buildings, and 0.3 in/sec PPV for engineered concrete and masonry). If vibration levels would exceed this threshold, alternative uses such as drilling piles as opposed to pile driving and static rollers as opposed to vibratory rollers shall be used. If necessary, construction vibration monitoring shall be conducted to ensure vibration thresholds are not exceeded.</p>		<p>structures, 100 feet of non-engineered timber and masonry buildings, 75 feet of engineered concrete and masonry, or a vibratory roller within 25 feet of any structure</p>		
<p>N-3 During the project-level CEQA process for industrial developments under the General Plan Update or other projects that could generate substantial vibration levels near sensitive uses, a noise and vibration analysis shall be conducted to assess and mitigate potential noise and vibration impacts related to the operations of that individual development. This noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer and shall follow the latest CEQA guidelines, practices, and precedents.</p>	<p>Qualified acoustical consultant or engineer</p>	<p>During the project-level CEQA process for industrial projects or other projects that could generate substantial vibration near sensitive uses</p>	<p>City of Fountain Valley Community Development Department</p>	

**8.3 CULTURAL RESOURCES**

<p>CUL-1 Prior to any construction activities that may affect historical resources (i.e., structures 45 years or older), a historical resources assessment shall be performed by an architectural historian or historian who meets the Secretary of the Interior's Professionally Qualified Standards (PQS) in architectural history or history. This shall include a records search to determine if any resources that may be potentially affected by a project have been previously recorded, evaluated, and/or designated in the National Register of Historic Places (NRHP), California Register of Historic Resources (CRHR), or other registers of historic resources. Following the records search, the qualified architectural historian or historian shall conduct a reconnaissance-level and/or intensive-level survey in accordance with the California Office of Historic Preservation (OHP) guidelines to identify any previously unrecorded potential historical resources that may be</p>	<p>Qualified Architectural Historian or Qualified Historian</p>	<p>Prior to any construction activities that may affect historical resources</p>	<p>City of Fountain Valley Community Development Department</p>	
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### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements for City of Fountain Valley General Plan Update**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
potentially affected by a proposed project. Pursuant to the definition of a historical resource under CEQA, potential historical resources shall be evaluated under a developed historic context.				
CUL-2 To ensure that projects requiring the relocation, rehabilitation, or alteration of a historical resource not impair its significance, the <i>Secretary of the Interior's Standards for the Treatments of Historic Properties</i> shall be used to the maximum extent possible. The application of the standards shall be overseen by a qualified architectural historian or historic architect meeting the PQS. Prior to any construction activities that may affect the historical resource, a report identifying and specifying the treatment of character-defining features and construction activities shall be provided to the City of Fountain Valley.	Qualified architectural historian or historic architect meeting the Professionally Qualified Standards (PQS)	Prior to any construction activities that may affect historical resources requiring the relocation, rehabilitation, or alteration of historical resources	City of Fountain Valley Community Development Department	
CUL-3 If a proposed project would result in the demolition or significant alteration of a historical resource, it cannot be mitigated to a less than significant level. However, recordation of the resource prior to construction activities will assist in reducing adverse impacts to the resource to the greatest extent possible. Recordation shall take the form of Historic American Buildings Survey (HABS), Historic American Engineering Record (HAER), or Historic American Landscape Survey (HALS) documentation, and shall be performed by an architectural historian or historian who meets the PQS. Documentation shall include an architectural and historical narrative; medium- or large-format black and white photographs, negatives, and prints; and supplementary information such as building plans and elevations, and/or historic photographs. Documentation shall be reproduced on archival paper and placed in appropriate local, state, or federal institutions. The specific scope and details of documentation would be developed at the project level.	Qualified architectural historian or historian who meets the PQS	Prior to construction activities for projects that would result in the demolition or significant alteration of a historical resource.	City of Fountain Valley Community Development Department	
CUL-4 If cultural resources that are eligible for listing to the NRHP, CRHR, or other registers of historic resources are identified within or adjacent to the proposed development, the construction limits shall be clearly flagged to assure impacts to eligible cultural resources are avoided or minimized to the extent feasible. Prior to implementing construction activities, a qualified archaeologist shall verify that	Qualified archaeologist	Prior to construction activities if eligible cultural resources are within or adjacent to a project site	City of Fountain Valley Community Development Department	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements for City of Fountain Valley General Plan Update**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
the flagging clearly delineates the construction limits and eligible resources to be avoided. Since the location of some eligible cultural resources is confidential, these resources will be flagged as environmentally sensitive areas (ESA).				
CUL-5 Prior to construction activities, the future project applicant shall retain a qualified archaeologist to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. If cultural resources are discovered during ground disturbing activities, all ground disturbing activities within 50 feet of the find shall be halted until a meeting is convened between the developer, archaeologist, tribal representatives, and the Director of the Community Development Department. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representatives, developer, and archaeologist, a decision shall be made, with the concurrence of the Director of the Community Development Department, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.	Qualified archaeologist Monitor	Prior to construction activities	City of Fountain Valley Community Development Department	
<b>8.6 TRIBAL CULTURAL RESOURCES</b>				
TCR-1 Prior to any ground disturbing construction activities, the project applicant shall retain a Native American monitor. The tribal monitor shall only be present onsite during the construction phases that involve ground-disturbing activities. Ground-disturbing activities are defined as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching within a project site. The tribal monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The onsite monitoring shall end when the grading and excavation activities are completed or when the tribal representatives and monitor have indicated that the project site has a low potential for affecting tribal cultural resources.  Upon discovery of any tribal cultural resources, construction activities shall cease in the immediate vicinity of the find until the tribal monitor can assess the find. The evaluation of all tribal cultural resources	Native American Monitor	Prior to any ground disturbing construction activities	City of Fountain Valley Community Development Department	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements for City of Fountain Valley General Plan Update**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>unearthed by project construction activities shall be evaluated by a qualified archaeologist and/or tribal monitor. If the resources are Native American in origin, the tribal monitor shall coordinate with the project applicant and Director of the Community Development Department regarding treatment and curation of these resources as well as notifying local tribes of the find. Typically, the tribe(s) will request reburial or preservation for educational purposes. The project applicant may continue work on other parts of the project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If the tribal monitor determines a resource to constitute a "historical resource" or "unique archaeological resource," time and funding sufficient to allow for implementation of avoidance measures or appropriate mitigation must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Section 21083.2(b) for unique archaeological resources.</p> <p>If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. The project applicant and Director of the Community Development Department shall be responsible for ensuring that a public, nonprofit institution with a research interest in the materials, such as the Orange County Museum of Natural History, curate any historic archaeological material that is not Native American in origin if such an institution agrees to accept the material. If no institution accepts the archaeological material, the project applicant and Director of the Community Development Department shall offer it to a local historical society for educational purposes or retain the material and use it for educational purposes.</p>				

## 4. Mitigation Monitoring Reports

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Mitigation monitoring reports are required to document compliance with the Mitigation Monitoring Program and to resolve disputes. Specific reports include:

- Field Check Report
- Implementation Compliance Report
- Dispute/Enforcement Report

### 4.1 FIELD CHECK REPORT

Field check reports are required to record in-field compliance and conditions.

### 4.2 IMPLEMENTATION COMPLIANCE REPORT

The Implementation Compliance Report (ICR) is prepared to document the implementation of mitigation measures on a phased basis, based on the information in Table 3-1. The report summarizes implementation compliance, including mitigation measures, date completed, and monitor's signature.

### 4.3 DISPUTE/ENFORCEMENT REPORT

The Dispute/Enforcement Report (DER) is prepared to document the outcome of the Project Manager or City Manager and becomes a portion of the ICR.

## 5. Public Information

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Monitoring reports are public documents and are available for review by the public. Discrepancies in monitoring reports can be taken to the Project Manager or City Manager by the public.