

# ***Draft* Mitigation Monitoring and Reporting Program**

**General Plan and Downtown Specific Plan Update & 2021–2029 Housing Element Implementation Programs**

**City of South Pasadena**

**SCH No. 2018011050**

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## **SECTION 1.0 MITIGATION MONITORING AND REPORTING PROGRAM**

Section 21081.6 of CEQA and Section 15097 of the State CEQA Guidelines states that, when adopting a Mitigated Negative Declaration (MND), the Lead Agency shall also adopt a program for reporting on or monitoring the changes that it has either required in the project or made a condition of approval to reduce or avoid significant environmental effects.

This Mitigation Monitoring and Reporting Program (MMRP), describes the mitigation program to be implemented by the City of South Pasadena (City) as the Lead Agency, during construction of future projects pursuant to the General Plan and Downtown Specific Plan Update & 2021–2029 Housing Element Implementation Programs. Specific reporting and/or monitoring requirements that will be enforced during Project implementation shall be adopted simultaneously with final Project approval by the responsible decision-making body for the City, the South Pasadena City Council.

The MMRP for the General Plan and Downtown Specific Plan Update & 2021–2029 Housing Element, presented in Table 1, consists of Mitigation Measures (MMs), identified in the Program Environmental Impact Report (PEIR) that are required to reduce or avoid significant environmental effects associated with Project implementation to the maximum extent feasible. The MMs for the Project are listed in the first column in Table 1, with the timeframe for implementation in the second column, the agency or party with primary responsibility for implementation in the third column, and the agency or party with responsibility for monitoring compliance in the last column. The City of South Pasadena will confirm that all MMs are included in the conditions of approval and/or contractor specifications and bid documents, as appropriate, and verified by the City as part of MMRP implementation, consistent with Section 15097 of the State CEQA Guidelines.

**TABLE 1  
 MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Timing	Implementation Party	Responsible Party
<b>Air Quality</b>			
<p><b>MM AQ-1:</b> The Applicant/Developer for residential land use projects in the City within 500 feet of a major sources of toxic air contaminants (TACs) (e.g., warehouses, industrial areas, freeways, and roadways with traffic volumes over 100,000 vehicle per day), as measured from the property line of the project to the property line of the source/edge of the nearest travel lane, shall conduct and submit a health risk assessment (HRA) to the City of South Pasadena Community Development Department. The HRA shall be prepared in accordance with policies and procedures of CEQA and the SCAQMD. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), PM10 concentrations exceed 2.5 µg/m<sup>3</sup>, PM2.5 concentrations exceed 2.5 µg/m<sup>3</sup>, or the appropriate noncancer hazard index exceeds 1.0, the Applicant/Developer shall be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms, prior to issuance of a grading permit. Measures to reduce risk may include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Air intakes located away from high volume roadways and/or truck loading zones.</li> <li>• Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized maximum efficiency rating value (MERV) filters (e.g., MERV 12 or better).</li> </ul> <p>If the HRA cannot demonstrate that the acceptable risk level can be achieved, then no residential land uses may be developed within 500 feet of the TAC source.</p>	Prior to issuance of a building permit	Applicant/Developer	South Pasadena Community Development Department
<b>Biological Resources</b>			
<p><b>MM BIO-1:</b> A qualified biologist shall conduct nesting bird surveys in areas with potentially suitable habitat prior to any construction or site preparation activities that would occur during the nesting and breeding season of native bird species (typically March 1 through August 15). The survey area shall include all potential bird nesting areas within 200 feet of any disturbance. The survey shall be conducted no more than three days prior to commencement of activities (i.e., grubbing or grading).</p> <p>If active nests of bird species protected by the MBTA and/or the <i>California Fish and Game Code</i> (which, together, apply to all native nesting bird species) are present in the impact area or within 200 feet of the impact area, a temporary buffer shall be placed a minimum of 200 feet around the nest site. This temporary buffer may be greater or lesser depending on the bird species and type of disturbance, as determined by the biologist and/or applicable regulatory agency permits.</p> <p>Clearing and/or construction within the buffer shall be postponed or halted until juveniles have fledged and there is no evidence of a second nesting attempt. The biologist shall serve as a construction monitor during those periods when disturbance activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur.</p>	<p>Within 3 days of any construction activity</p> <p>and</p> <p>During construction (depending on findings of pre-construction surveys)</p>	<p>Applicant/Developer (Private Projects)</p> <p>or</p> <p>South Pasadena (Public Projects)</p>	South Pasadena Community Development Department

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<p><b>MM BIO-2:</b> Trimming or removal activities of mature or significant trees will be conducted between August 16 (for nesting birds) or October 1 (for bats) and February 28, outside of the breeding seasons for native bird and bat species. If activities trimming or removal activities must be conducted during the breeding season, qualified biologist shall survey the tree to be impacted to assess the presence or absence of any active bird nest and a qualified bat specialist shall conduct bat surveys within these areas (plus a 100-foot buffer as access allows) to identify potential habitat that could provide daytime and/or nighttime roost sites and any maternity roosts or bat maternity roost. If either are determined to be present, trimming or removal activities will be postponed until after the breeding season has concluded, or until otherwise deemed acceptable by the qualified biologist due to a discontinuation of nesting bird activity or bat roost vacancy.</p>	<p>Prior to tree trimming activities between March 1 and August 17</p>	<p>Applicant/Developer (Private Projects)  or  South Pasadena (Public Projects)</p>	<p>South Pasadena Community Development Department</p>
<p><b>MM BIO-3:</b> Within six months of the adoption of the General Plan and Downtown Specific Plan Update, the City shall develop a list of fire-resistant plant species that excludes exotic plant species with a high or moderate rating on the California Invasive Plant Council’s invasive plant inventory. This fire-resistant plant list shall be the basis of any requirements or recommendations to residents, businesses, and/or developers of future projects in hillside areas that require fire-resistant construction and landscaping.</p>	<p>Within six months of the adoption of the General Plan and Downtown Specific Plan Update</p>	<p>South Pasadena Community Development Department</p>	<p>South Pasadena Community Development Department</p>
<p><b>MM BIO-4:</b> If the disturbance limits of any future development project are within 500 feet of native vegetation located in the Arroyo Seco drainage corridor, the Applicant/Developer shall have a biological assessment conducted. A biological assessment shall also be conducted for all future development on or immediately adjacent to vacant, naturally vegetated parcels. All assessments shall be conducted by a qualified biologist and shall identify all potential sensitive biological resources, analysis shall place emphasis upon identifying endangered, threatened, sensitive, regionally, and locally unique species, and sensitive habitats. Impact analysis will aid in determining any direct, indirect, and cumulative biological impacts. and Analysis shall provide recommendations for focused surveys (if warranted) and/or avoidance or minimization conditions for project implementation. The assessment shall be reviewed and approved by the City prior to initiation of any site disturbance activities (including, but not limited to, equipment and materials staging, grubbing, and fence installation). As a condition of project approval, the City shall require the Applicant/Developer to adhere to all recommendations of the biological assessment such that project-level impacts are not expected to reduce regional populations of plant and wildlife species to below self-sustaining levels.</p>	<p>Prior to initiation of any site disturbance activities including but not limited to equipment and materials staging, grubbing and fence installation</p>	<p>Applicant/Developer</p>	<p>South Pasadena Community Development Department</p>

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<p><b>MM BIO-5:</b> If project construction activities of any future development project have the potential to impact (e.g., dredge and fill, demolition, dewatering or other discharge) a channel/drainage that conveys water during rainfall events, at a minimum, or as recommended by the qualified biologist conducting an assessment per MM BIO-4 above (if also applicable), shall conduct a jurisdictional delineation to determine if impacted channel/drainage meets definition of State and federal regulations. If the delineation report, prepared by a qualified biologist, indicates potential regulated drainage(s), subsequent consultation with appropriate regulatory agencies (depending on the agency jurisdiction[s]) and acquisition of permits, if required, prior to initiation of any site disturbance activities (including, but not limited to, equipment and materials staging, grubbing, and fence installation). As a condition of project approval, the City shall require the Applicant/Developer to adhere to all permit conditions.</p>	<p>Prior to initiation of any site disturbance activities including but not limited to equipment and materials staging, grubbing and fence installation.</p>	<p>Applicant/Developer</p>	<p>South Pasadena Community Development Department</p>
<b>Cultural and Tribal Cultural Resources</b>			
<p><b>MM CUL-1:</b> Prior to the issuance of a grading permit, Applicants for future development projects shall demonstrate to the City Community Development Department that a qualified Archaeologist has been retained by the applicant to attend the pre-grading meeting with the construction contractor to establish, based on the site plans, appropriate procedures for monitoring earth-moving activities during construction. The Archaeologist shall determine when monitoring of grading activities is needed. If any archaeological resources are discovered, construction activities must cease within 50 feet of the discovery, or as determined by the Archaeologist, and they shall be protected from further disturbance until the qualified Archaeologist evaluates them using standard archaeological protocols. The Archaeologist must first determine whether an archaeological resource uncovered during construction is a “Tribal Cultural Resources” pursuant to Section 21074 of the California Public Resources Code, or a “unique archaeological resource” pursuant to Section 21083.2(g) of the California Public Resources Code or a “historical resource” pursuant to Section 15064.5(a) of the State CEQA Guidelines. If the archaeological resource is determined to be a “Tribal Cultural Resource”, “unique archaeological resource” or a “historical resource”, the Archaeologist shall formulate a Mitigation Plan in consultation with the Applicant and the City Community Development Department that satisfies the requirements of the above-listed Code sections. Upon approval of the Mitigation Plan by the City, the Project shall be implemented in compliance with the Plan.</p> <p>If the Archaeologist determines that the resource is not a “Tribal Cultural Resource”, “unique archaeological resource” or “historical resource,” s/he shall record the site and submit the recordation form to the California Historical Resources Information System (CHRIS) at the South Central Coastal Information Center (SCCIC). The Archaeologist shall prepare a report of the results of any study prepared as part of a testing or mitigation plan, following accepted professional practice. The report shall follow guidelines of the California Office of Historic Preservation. Copies of the report shall be submitted to the City and to the CHRIS at the SCCIC at the California State University, Fullerton.</p>	<p>Prior to the issuance of a grading permit</p>	<p>Applicant/Developer</p>	<p>South Pasadena Community Development Department</p>

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Mitigation Measure	Timing	Implementation Party	Responsible Party
<b>Geology and Soils</b>			
<p><b>MM GEO-1:</b> Should potential paleontological resources be found during ground-disturbing activities for any individual project implemented under the General Plan and DTSP Update &amp; 2021–2029 Housing Element, ground-disturbing activity in the immediate vicinity of the find shall be temporarily halted and a qualified paleontologist will be hired to evaluate the resource. If the potential resource is found not to be significant by the paleontologist, construction activity in the area of the find can resume. If the resource is found to be significant, the paleontologist shall determine appropriate actions, in consultation with the City and the developer (if present), for further exploration and/or salvage. A Disposition of the Recovered Paleontological Resources and Mitigation Report shall be prepared by the qualified paleontologist and submitted to the City. Any recovered fossils shall be deposited in an accredited institution or museum, such as the Natural History Museum of Los Angeles County.</p>	During ground-disturbing activities	Applicant/Developer	South Pasadena Community Development Department
<b>Hazards and Hazardous Materials</b>			
<p><b>MM HAZ-1:</b> Prior to the issuance of a grading permit, Applicants for future development projects shall:</p> <ol style="list-style-type: none"> <li>1. Investigate the project site to determine whether it or immediately adjacent areas have a record of hazardous material contamination via the preparation of a Phase I Environmental Site Assessment, which shall be submitted to the City Community Development Department for review. If the Phase I ESA concludes there are recognized environmental conditions that indicate the potential for on-site contamination, the Applicant shall direct the performance of a subsurface investigation appropriate in scope to the likely contaminants (e.g., water, soil, soil vapor). The results of the investigation shall be submitted to the City.</li> <li>2. If contamination is identified on the site, the City, in accordance with appropriate regulatory oversight agencies (e.g., California Toxic Substances Control, Los Angeles Regional Water Quality Control Board), shall determine the need for further investigation and/or remediation of the site. If further investigation or remediation is required, it shall be the responsibility of the Applicant(s) to complete such investigation and/or remediation to the satisfaction of the City and the local oversight agency(ies).</li> <li>3. Closure reports or other reports that document the successful completion of required remediation activities, if any, shall be submitted to and approved by acceptable to the City (as the Certified Uniform Program Agency) and the local oversight agency(ies) prior to the issuance of a grading permit for the proposed site development.</li> </ol>	Prior to the issuance of a grading permit	Applicant/Developer	South Pasadena Community Development Department



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<p><b>MM HAZ-2:</b> 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, construction activities in the immediate vicinity of the contamination shall cease immediately and the City shall be notified. If contamination is encountered, the Applicant for the proposed development shall be responsible for preparing and implementing a Risk Management Plan 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, but not be 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 oversight agencies shall be notified. If determined necessary by the oversight agency(ies), a Site Health and Safety Plan that meets California Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.</p>	<p>During construction activities, if previously unknown soil and/or groundwater contamination is encountered</p>	<p>Applicant/Developer</p>	<p>South Pasadena Community Development Department</p>
<b>Noise</b>			
<p><b>MM NOI-1:</b> Prior to the issuance of a building permit for new residential or mixed-use development projects, the Project Applicant/Developer shall submit an acoustical report or other substantial evidence to the City of South Pasadena Community Development Department, or designee, that demonstrates that the project will satisfy the 65 dBA CNEL exterior noise level standard, including identification of reasonable and feasible noise mitigation measures if determined necessary. It is the responsibility of the City of South Pasadena Community Development Department, or designee, to ensure that any necessary mitigation measures are fully and properly implemented.</p>	<p>Prior to the issuance of a building permit for new residential or mixed-use development project</p>	<p>Applicant/Developer</p>	<p>South Pasadena Community Development Department</p>
<p><b>MM NOI-2:</b> Prior to the issuance of a building permit for new residential or mixed-use development projects, the Project Applicant/Developer shall submit an acoustical report or other substantial evidence to the City of South Pasadena Community Development Department, or designee, that demonstrates that the interior noise levels in all habitable rooms will satisfy the California Building Code 45 dBA CNEL interior noise level standard, including identification of reasonable and feasible noise mitigation measures if determined necessary. It is the responsibility of the City of South Pasadena Community Development Department, or designee, to ensure that any necessary mitigation measures are fully and properly implemented.</p>	<p>Prior to the issuance of a building permit for new residential or mixed-use development project</p>	<p>Applicant/Developer</p>	<p>South Pasadena Community Development Department</p>

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<p><b>MM NOI-3:</b> Prior to the issuance of a building permit and/or certificate of occupancy for non-residential development projects, the Project Applicant/Developer shall submit an acoustical report or other substantial evidence to the City of South Pasadena Community Development Department, or designee, that demonstrates:</p> <ul style="list-style-type: none"> <li>• Exterior noise levels at adjacent property lines will satisfy the South Pasadena Municipal Code Sections 19A.7(b), 19A.12, and 19.21(c) exterior noise level limits, and satisfy any conditions of approval. The site-specific acoustical report shall identify the necessary measures, if any, required to reduce exterior noise levels to below the South Pasadena Municipal Code Section 19A.7(b), 19A.12, and 19.21(c) exterior noise level limits, and satisfy any conditions of approval.</li> <li>• Acoustical isolation between units has been included in the project design for residential dwelling units situated above non-residential uses.</li> </ul>	<p>Prior to the issuance of a building permit and/or certificate of occupancy for non-residential development projects</p>	<p>Applicant/Developer</p>	<p>South Pasadena Community Development Department</p>
<p><b>MM NOI-4:</b> Prior to the issuance of a building permit for new development, the Project Applicant/Developer shall submit a final acoustical report to the City of South Pasadena Community Development Department, or designee, that demonstrates:</p> <ul style="list-style-type: none"> <li>• Exterior construction noise levels at the closest sensitive receiver locations will satisfy the FTA 80 dBA <math>L_{eq}</math> residential and 85 dBA <math>L_{eq}</math> commercial 8-hour construction noise level standards and the County of Los Angeles 0.01 in/sec root-mean-square velocity (RMS) vibration standard. The site-specific report shall identify the necessary reduction measures, if any, required to reduce exterior noise and vibration levels to below FTA noise and County of Los Angeles vibration thresholds.</li> <li>• Measures to reduce construction noise and vibration levels, such as but not limited to those provided below, shall be incorporated in the final acoustical report:                         <ul style="list-style-type: none"> <li>○ Install temporary construction noise barriers at the project site boundary that break the line of sight for occupied sensitive uses for the duration of construction activities. The noise control barrier(s) must provide a solid face from top to bottom and shall:                                 <ul style="list-style-type: none"> <li>▪ Provide a minimum transmission loss of 20 dBA and be constructed with an acoustical blanket (e.g., vinyl acoustic curtains or quilted</li> </ul> </li> </ul> </li> </ul>	<p>Prior to the issuance of a building permit for new development</p>	<p>Applicant/Developer</p>	<p>South Pasadena Community Development Department</p>

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<p>blankets) attached to the construction site perimeter fence or equivalent temporary fence posts;</p> <ul style="list-style-type: none"> <li>▪ Be properly maintained with any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.</li> </ul> <ul style="list-style-type: none"> <li>• Install sound dampening mats or blankets to the engine compartments of heavy mobile equipment (e.g., graders, dozers, heavy trucks). The dampening materials must be capable of a 5 dBA minimum noise reduction, must be installed prior to the use of heavy mobile construction equipment, and must remain installed for the duration of the equipment use.</li> <li>• Construction activities requiring pile driving within 400 feet, large bulldozers within 100 feet, loaded trucks within 50 feet, or jackhammers within 25 feet of nearby sensitive land uses (e.g., residential, school) shall be minimized, or alternative equipment or methods shall be used, unless the vibration levels are shown to be less than the County of Los Angeles RMS threshold of 0.01 in/sec.</li> </ul>			
<p><b>MM NOI-5:</b> The Project Applicant/Developer of any site-specific development within 25 feet of an historic resource shall engage a qualified structural engineer to conduct a pre-construction assessment of the structural integrity of the nearby historic structure(s) and, prior to the issuance of a building permit, submit evidence to the City of South Pasadena Community Development Department, or designee, that the operation of vibration-generating equipment associated with the new development would not result in structural damage to the adjacent historic building(s). If recommended by the pre-construction assessment, ground borne vibration monitoring of nearby historic structures shall be required.</p>	Prior to the issuance of a building permit	Applicant/Developer	South Pasadena Community Development Department
<p><b>MM NOI-6:</b> Prior to the issuance of a building permit for new development projects within 50 feet of the Metro A Line, the Project Applicant/Developer shall submit a final vibration study to the City of South Pasadena Community Development Department, or designee, which shall identify and require implementation of reasonable and feasible vibration reduction measures to avoid exceeding the 72 VdB residential and 75 VdB non-residential vibration level standards.</p>	Prior to the issuance of a building permit for new development projects within 50 feet of the Metro A Line	Applicant/Developer	South Pasadena Community Development Department

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<p><b>MM NOI-7:</b> The Project Applicant/Developer for new development shall be responsible for ensuring that following requirements are implemented by the contractor throughout the construction period. Construction contractors shall be required to implement the following measures to reduce noise levels from construction activity:</p> <ul style="list-style-type: none"> <li>• equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards, and all stationary construction equipment shall be placed so that emitted noise is directed away from the noise-sensitive use nearest the construction activity;</li> <li>• locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receiver nearest to the construction activity; and</li> <li>• limit haul truck deliveries to the same hours specified for construction equipment by Section 19A.13(a) of the South Pasadena Municipal Code. The contractor shall design delivery routes to minimize the exposure of sensitive land uses to delivery truck noise.</li> </ul>	<p>During construction activities</p>	<p>Applicant/Developer</p>	<p>South Pasadena Community Development Department</p>

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