



# Appendix I. Mitigation Monitoring and Reporting Program

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# Mitigation Monitoring and Reporting Program

Public Resources Code Section 21081.6 mandates that the following requirements shall apply to all reporting or mitigation monitoring programs:

- The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval 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 Agency or a Responsible Agency, prepare and submit a proposed reporting or monitoring program.
- 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. A public agency shall provide the measures to mitigate or avoid significant effects on the environment that are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or in the case of the adoption of a plan, policy, regulation, or other project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.
- Prior to the close of the public review period for a Draft Environmental Impact Report or Mitigated Negative Declaration, a Responsible Agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the Lead Agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the Responsible Agency or agency having jurisdiction over natural resources affected by the project, or refer the Lead Agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a Lead Agency by a Responsible Agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources that are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a Responsible Agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit that authority of the Responsible Agency or agency having jurisdiction over natural resources affected by a project, or the authority of the Lead Agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

Table 1 lists each mitigation measure described in this document and identifies the responsible entity for implementation of each measure as well as timing for when the measure would be implemented.

**Table 1. Mitigation and Monitoring Reporting Program**

Mitigation Measures	Action Required	Responsible Party	Timing for Mitigation Measure	Compliance Verification		
				Initial	Date	Comments
<b>Air Quality</b>						
<p><b>MM AQ-1: Fugitive Dust Control.</b>                      During clearing, grading, earthmoving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures using the following procedures, as specified in SCAQMD Rule 403. All material excavated or graded shall be sufficiently watered in sufficient quantities to prevent the generation of visible dust plumes. Watering will occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All material transported on-site or off-site shall be securely covered to prevent excessive amounts of dust. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized so as to prevent excessive amounts of dust. These control techniques shall be indicated in project specifications.                      In addition, where feasible, the following measures will be implemented to reduce fugitive dust emissions:</p> <ul style="list-style-type: none"> <li>• Minimize land disturbance</li> <li>• Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas</li> <li>• Suspend grading and earth moving when wind gusts exceed 25 miles per hour unless the soil is wet enough to prevent dust plumes</li> <li>• Cover trucks when hauling dirt</li> </ul>	Implement dust control measures and verification of dust control measures	Construction Contractor/ City of Long Beach Development Services Department	During construction			



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<ul style="list-style-type: none"> <li>Stabilize the surface of dirt piles if not removed immediately</li> <li>Limit vehicular paths on unpaved surfaces and stabilize any temporary roads</li> <li>Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway</li> <li>Revegetate disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities</li> <li>Provide an operational water truck on-site at all times and use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas</li> </ul>						
<b>Biological Resources</b>						
<p><b>MM BIO-1 Migratory Bird Treaty Act Covered Species.</b>                      Should clearing and grubbing be required during the avian breeding season (February 15 through August 15), a qualified biologist shall conduct a pre-construction nest survey (in suitable areas) for migratory birds 10 days prior to construction. Should an active nest of any Migratory Bird Treaty Act-covered species occur within or adjacent to the project impact area, an appropriate buffer, as determined by a qualified biologist, shall be established around the nest, and no construction shall occur within this area until a qualified biologist determines the nest is no longer active or the young have fledged.</p>	Conduct pre-construction nest surveys and verification of pre-construction nest surveys	Construction Contractor/ City of Long Beach Development Services Department	Three (3) days prior to commencement of construction activities/February 15–August 15			

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<b>Cultural Resources</b>						
<p><b>MM CULT-1: Archaeologist and Monitor.</b>                      An archaeologist meeting the Secretary of the Interior's Professional Qualification Standards shall be retained by the project applicant and approved by the City to oversee and carry out the archaeological mitigation measures set forth in this document. The archaeologist shall conduct a pre-grading meeting and develop an appropriate monitoring program and schedule. As part of this program, the archaeologist shall select a qualified archaeological monitor to be retained by the project applicant and approved by the City.</p>	<p>Verification that a qualified monitor has been retained</p>	<p>Construction Contractor/                      City of Long Beach                      Development Services                      Department</p>	<p>Prior to designated grading activities</p>			
<p><b>MM CULT-2: Archaeological Monitoring.</b>                      The qualified archaeological monitor shall monitor excavation and grading activities on the project site within native soils that have not been previously disturbed. In the event archaeological or cultural resources are unearthed during ground-disturbing activities, the archaeological monitor shall halt or redirect such activities away from the area of the find to allow evaluation. Work may continue outside of the vicinity of the find, at a sufficient distance to be determined by the archaeological monitor, as necessary, to provide compliance with the mitigation measures and the archaeological monitoring program. Deposits shall be treated in accordance with applicable federal, state, and local guidelines, including those set forth in California Public Resources Code Section</p>	<p>Conduct archeological monitoring and verification of archeological monitoring</p>	<p>Construction Contractor/                      City of Long Beach                      Development Services                      Department</p>	<p>During excavation and grading activities on the project site within native soils that have not previously been disturbed.</p>			



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<p>21083.2. In addition, if it is determined that an archaeological site is a historic resource, the provisions of Public Resources Code Section 21084.1 and CEQA Guidelines Section 15064.5 shall be implemented. The archaeologist shall evaluate the discovered resource(s) and, if significant, notify the project applicant, the City, and the representative of any Native American tribe that is a consulting party to the project under Assembly Bill 52/Senate Bill 18, and then develop an appropriate treatment plan. Treatment plans shall consider preservation of the resource(s) in place as a preferred option. The archaeologist shall then prepare a report to be reviewed and approved by the City and file it with the project applicant, the City, and the South Central Coastal Information Center located at California State University, Fullerton. The report shall describe any resource(s) unearthed, the treatment of such resource(s), and the evaluation of the resource(s) with respect to the California Register of Historic Resources and the National Register of Historic Places. If the resource(s) are found to be significant, a separate report detailing the results of the recovery and evaluation process shall be prepared. The City shall designate one or more appropriate repositories for any cultural resources that are uncovered</p>						
<p><b>MM CULT-3: Unanticipated Discovery of Human Remains.</b>                      If human remains are discovered during ground-disturbing activities or project</p>	Verification that county coroner and/or NAHC consultation has occurred (if human	Construction Contractor/ City of Long Beach Development Services Department	In the event that human remains are encountered on the project site			

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<p>construction, work shall be halted within at least 150 feet of the discovery location, and at a greater distance if determined necessary by the archaeological monitor or Native American monitor, and within any nearby area reasonably suspected to overlie human remains (Public Resources Code, Section 7050.5). The Los Angeles County coroner shall be notified immediately to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws regarding the disposition of Native American burials, which fall within the jurisdiction of the California NAHC (Public Resources Code, Section 5097). In this case, the coroner shall contact NAHC. The descendants or MLD of the deceased shall be contacted, and work shall not resume until the MLD has made a recommendation to the project applicant regarding appropriate means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98. Treatment measures for remains of Native American origin: Prior to the continuation of ground-disturbing activities, the project applicant shall arrange with the MLD a designated site location within the footprint of the project site for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and</p>	<p>remains are discovered)</p>					



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<p>recovered on the same day, the remains shall be covered with muslin cloth and a steel plate movable by heavy equipment shall be placed over the excavation opening to protect the remains. If this arrangement is not available or feasible, a 24-hour guard should be posted outside of construction hours. The Native American monitor and MLD tribal representative shall make every effort to recommend diverting the ground-disturbing activities and keeping the remains in situ and protected. If the ground-disturbing activities cannot be diverted, it may be determined that burials shall be removed. The Native American monitor and MLD tribal representative shall work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically, and respectfully. If data recovery is approved by the MLD tribal representative, documentation shall be taken, which includes, at a minimum, detailed descriptive notes and sketches. Additional types of documentation shall be approved by the MLD tribal representative for data recovery purposes. Cremations shall either be removed in bulk or as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the MLD tribal representative and NAHC. No scientific study or utilization of any invasive diagnostics on human remains is authorized without prior</p>						

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<p>express written permission of the MLD tribal representative.</p> <p>Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects, and objects of cultural patrimony shall be removed to a secure container on site, if possible. These items should be retained and reburied within 6 months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the MLD tribal representative and the project applicant at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p>						
<b>Geology and Soils</b>						
<p><b>MM GEO-1: Incorporation of and Compliance with the Recommendations in the Preliminary and Final Geotechnical Report.</b></p> <p>The project shall be constructed in conformance with the recommendations included in the Preliminary Geotechnical Investigation prepared by Albus-Keefe &amp; Associates, Inc. (Appendix C) and the Final Geotechnical Report that will be prepared in conjunction with final detailed project plans. The City of Long Beach shall confirm compliance with all recommendations in the Preliminary Geotechnical Report and Final Geotechnical Report prior to issuance of building permits. Recommendations include, but are not limited to, the following:</p>	<p>Verification of compliance with recommendations in the Preliminary and Final Geotechnical Reports</p>	<p>Construction Contractor/ City of Long Beach Development Services Department</p>	<p>Prior to and during construction</p>			



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<p>CBC Compliance:</p> <ul style="list-style-type: none"> <li>• Design and construction shall be done in accordance with current CBC requirements in order to address any issues related to potential ground shaking at the site.</li> <li>• Recommendations for a well-reinforced foundation system:</li> <li>• Additional testing of site soils shall be performed after site grading to confirm the expansion potential.</li> <li>• Foundations shall be designed for total differential static settlement up to 1 inch and 0.5 inch over 30 feet. An allowable bearing value shall be used.</li> <li>• Lateral bearing for footings shall be determined.</li> <li>• Exterior continuous building footings shall be founded at a minimum depth of 18 inches.</li> <li>• Foundation excavations shall be observed by the project geotechnical consultant prior to placement of forms or reinforcement.</li> </ul> <p>Recommendations to limit soil expansion:</p> <ul style="list-style-type: none"> <li>• Earthwork and grading shall be performed in accordance with applicable requirements of California Occupational Safety and Health Administration and the Grading Codes of the City of Long Beach.</li> <li>• All existing artificial fills shall be removed to a maximum depth of 10 feet below existing ground surface.</li> <li>• Materials excavated from the site may be used as fill, provided they are free of deleterious materials and particles greater than 6 inches in maximum dimension.</li> </ul>						

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<ul style="list-style-type: none"> <li>Asphalt and concrete materials greater than 6 inches shall be reduced in maximum dimension and incorporate within the fill materials, provided they are mixed with granular materials and spread throughout the fill to eliminate nesting.</li> <li>Construction of surcharge fills placed 15 feet above the proposed finish grades in selected areas is recommended.</li> <li>Edges of surcharge fills may be sloped 1.5:1 where space permits. Where insufficient room is present for slopes, a wire basket and geofabric system would be required.</li> <li>Surcharge fills shall remain in place until the remaining settlement due to future final grades.</li> <li>Surcharge fills shall be monitored by instruments prior to and after placement of fills above the current grades.</li> </ul>						
<b>Hydrology and Water Quality</b>						
<p><b>MM HWQ-1: National Pollutant Discharge Elimination System Compliance and Low Impact Development Plan.</b>                      The contractor shall prepare a Stormwater Pollution Prevention Plan in accordance with the NPDES as part of Section 402 of the Clean Water Act. The Stormwater Pollution Prevention Plan shall include, but not be limited to (1) methods to minimize the footprint of the disturbed area; (2) construction-related erosion and sediment control BMPs; (3) controls to prevent tracking</p>	Prepare a SWPPP and LID Plan, or equivalent. Verification of plans prepared in compliance with applicable requirements.	Construction Contractor/ City of Long Beach Development Services Department	Prior to commencement of construction activities			



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<p>on and off the site; (4) materials management (delivery and storage); (5) spill prevention and control; (6) and waste management (e.g., concrete washout/waste management; sanitary waste management, etc.).</p> <p>The City of Long Beach Development Services Director, or appropriate designee, shall prepare an LID Plan, or equivalent, in compliance with LID Ordinance (Section 18.74.040 LBMC) and LID BMPs Design Manual (Long Beach Development Services 2013). Section 18.74.040 of LBMC requires runoff to be infiltrated, captured and reused, evapotranspired, and/or treated on site through stormwater BMPs listed in the LID BMPs Manual.</p>						
<b>Noise</b>						
<p><b>MM NOI-1: City Noise Construction Compliance.</b></p> <p>Construction shall be limited to the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and Saturdays, between 9:00 a.m. and 6:00 p.m., in accordance with city standards. No construction activities shall occur outside of these hours or on federal holidays. Construction work on Sundays is prohibited unless the City of Long Beach's Noise Control Officer issues a permit. The permit may allow work on Sundays between 9:00 a.m. and 6:00 p.m.</p> <p>The following measures shall be implemented by the contractor to reduce potential construction noise impacts on nearby sensitive receptors.</p>	<p>Verification construction is conducted in accordance with city standards.</p>	<p>Construction Contractor/                      City of Long Beach                      Development Services                      Department</p>	<p>Prior to issuance of building permits/during construction activities/ during all project area excavation and on-site grading</p>			

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<ul style="list-style-type: none"> <li>• During all site excavation and grading, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.</li> <li>• The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.</li> <li>• The construction contractor shall locate equipment staging in areas that would create the greatest distance between construction related noise sources and noise-sensitive receptors nearest the project site during all project construction.</li> </ul>						
<b>Transportation</b>						
<p><b>The following mitigation measure was determined to be potentially infeasible in the Final EIR as it is subject to approval by the City of Signal Hill. Because it is within the responsibility and jurisdiction of another agency and not the City of Long Beach, it is potentially infeasible pursuant to CEQA Guidelines Section 15091(a)(2) and Section 15091(a)(3). Only feasible mitigation measures are required to be implemented pursuant to CEQA Guidelines Section 15091(d), Section 15097(a), and Section 15126.4(a)(5). If the City of Signal Hill approves and permits the work required by this mitigation measure, the City of Long Beach shall review the approval and permitted scope</b></p>	<p>Receive approval for improvements. Implementation of planned improvements.</p>	<p>Construction Contractor/ City of Long Beach Public Works Department</p>	<p>If approved, prior to issuance of a certificate of occupancy</p>			



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<p><b>of work to determine if it is “feasible” for the purposes CEQA.</b></p> <p><b>MM TRAN-1 Orange Avenue at 32nd Street without Orange Avenue Bikeway Improvements.</b>                      Restripe the northbound approach for an exclusive right-turn lane. Modify the existing traffic signal as necessary. These improvements are subject to approval by the City of Signal Hill.</p>						
<p><b>MM TRAN-2 Orange Avenue at Spring Street without Orange Avenue Bikeway Improvements.</b>                      Restripe the northbound approach to provide dual left-turn lanes, a through lane, and a shared through-right turn lane. Restripe the southbound right-turn lane into a shared through-right turn lane. Modify the traffic signal from a two phase signal to a five phase signal, with protected north-south left turn lands. Construct dual southbound left-turn lanes. These improvements are subject to the approval of the City of Long Beach and the City of Signal Hill.</p>	Receive approval for improvements. Implementation of planned improvements.	Construction Contractor/ City of Long Beach Public Works Department	If approved, prior to issuance of a certificate of occupancy			
<p><b>MM TRAN-3 Orange Avenue at Spring Street with Orange Avenue Bikeway Improvements.</b>                      Construct an exclusive right-turn lane for the northbound and southbound approaches. Modify the existing traffic signal as necessary. These improvements are subject to approval of the City of Long Beach and the City of Signal Hill and will need to consider</p>	Receive approval for improvements. Implementation of planned improvements.	Construction Contractor/ City of Long Beach Public Works Department	If approved, prior to issuance of a certificate of occupancy			

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the City of Long Beach's planned Class IV (Protected Bike Lane) bikeway design/layout for this intersection.						
<p><b>The following mitigation measure was determined to be potentially infeasible in the Final EIR as it is subject to approval by Caltrans. Because it is within the responsibility and jurisdiction of another agency and not the City of Long Beach, it is potentially infeasible pursuant to CEQA Guidelines Section 15091(a)(2) and Section 15091(a)(3). Only feasible mitigation measures are required to be implemented pursuant to CEQA Guidelines Section 15091(d), Section 15097(a), and Section 15126.4(a)(5). If Caltrans approves and permits the work required by this mitigation measure, the City of Long Beach shall review the approval and permitted scope of work to determine if it is "feasible" for the purposes of CEQA.</b></p> <p><b>MM TRAN-4 Orange Avenue at I-405 Southbound Ramps without Orange Avenue Bikeway Improvements.</b>                      Install a three-phase traffic signal; maintain existing intersection lane configuration. These improvements are subject to the approval of Caltrans.</p>	Receive approval for improvements. Implementation of planned improvements.	Construction Contractor/ City of Long Beach Public Works Department	If approved, prior to issuance of a certificate of occupancy			
<p><b>The following mitigation measure was determined to be potentially infeasible in the Final EIR as it is subject to approval by Caltrans. Because it is within the</b></p>	Receive approval for improvements. Implementation of	Construction Contractor/ City of Long Beach Public Works Department	If approved, prior to issuance of a certificate of occupancy			



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<p>responsibility and jurisdiction of another agency and not the City of Long Beach, it is potentially infeasible pursuant to CEQA Guidelines Section 15091(a)(2) and Section 15091(a)(3). Only feasible mitigation measures are required to be implemented pursuant to CEQA Guidelines Section 15091(d), Section 15097(a), and Section 15126.4(a)(5). If Caltrans approves and permits the work required by this mitigation measure, the City of Long Beach shall review the approval and permitted scope of work to determine if it is “feasible” for the purposes of CEQA.</p> <p><b>MM TRAN-5 Orange Avenue at I-405 Southbound Ramps with Orange Avenue Bikeway Improvements.</b>                      Install a three-phase traffic signal. Remove one through lane from the northbound and southbound directions on Orange Avenue. With implementations of improvements associated with the Orange Avenue Class IV Bikeway, the section of Orange Avenue, from 32nd Street south of Spring Street, would be striped as a two-lane divided roadway, with on-street bike lanes and a buffer to separate bicycle traffic from vehicular traffic. These improvements are subject to the approval of Caltrans.</p>	planned improvements.					
<b>Tribal Cultural Resources</b>						
<b>MM TCR-1: Native American Monitoring.</b>	Retain a Native American monitor and	Construction Contractor/ City of Long Beach	Prior to commencement of			

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<p>Prior to issuance of any Grading Permit for the project, the project applicant shall retain a Native American monitor approved by both the local tribal representative of the consulting party to the project under Assembly Bill 52/Senate Bill 18 and listed under the NAHC's Tribal Contact list for the area of the project location. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in CEQA, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The monitor(s) shall be present on site during the construction phases that involve ground-disturbing activities. Ground-disturbing activities may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching within the project area. The Tribal Monitor/consultant shall complete daily monitoring logs that provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt or redirect construction in the vicinity of the find in order to recover and/or determine the appropriate</p>	<p>verification of Native American monitoring</p>	<p>Development Services Department</p>	<p>any ground-disturbing activities/throughout ground-disturbing activities</p>			



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<p>plan of recovery for the resource. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Native American monitor has indicated that the site has a low potential for impacting tribal cultural resources.</p> <p>Professional Standards: Archaeological and Native American monitoring and excavation during construction projects shall be consistent with generally accepted current professional standards for these disciplines. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and are preferred to have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in Southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.</p>						
<p><b>MM TCR-2: Recovery Procedures.</b>                      All archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and Native American monitor. If the resources are Native American in origin, the tribal representative shall coordinate with the Project Applicant regarding treatment and curation of these resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section</p>	<p>Verification of recovery procedures</p>	<p>Construction Contractor/                      City of Long Beach                      Development Services                      Department</p>	<p>In the event that Tribal cultural resources are discovered during excavation, grading, or construction activities</p>			

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15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) shall be the preferred manner of treatment. 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.						

Notes:

BMP=best management practice; Caltrans=California Department of Transportation; CBC=California Building Code; CEQA=California Environmental Quality Act; EIR=environmental impact report; LBMC=Long Beach Municipal Code; LID=Low Impact Development; MLD=most likely descendants; MM=Mitigation Measure; NAHC=Native American Heritage Commission; NPDES=National Pollutant Discharge Elimination System; SCAQMD=South Coast Air Quality Management District; SWPPP=Stormwater Pollution Prevention Plan