

## RESOLUTION NO. 19-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA CERTIFYING MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS 19-01 FOR THE VISTA GRANDE PARK IMPROVEMENT PROJECT SUBJECT TO THE MITIGATION MONITORING AND REPORTING PROGRAM AND THE STATEMENT OF FINDINGS OF FACT HERETO ATTACHED AS EXHIBITS "A" & "B."

The Planning Commission of the City of La Habra does hereby resolve as follows:

Section 1. The Planning Commission does hereby find and determine that:

- a. The City of La Habra filed an application requesting certification of Mitigated Negative Declaration of Environmental Impacts (MND) 19-01 for the Vista Grande Park Improvement Project.
- b. A Notice of Intent (NOI) to adopt a Mitigated Negative Declaration of Environmental Impacts was circulated for public review and comment on June 25, 2019 for a 20-day review period ending on July 15, 2019, pursuant to Section 15072 of the CEQA Guidelines. An Initial Study, resulting in a Mitigated Negative Declaration of Environmental Impacts (MND 19-01), was prepared for this project pursuant to Sections 15070 to 15075 of the California Environmental Quality Act (CEQA) Guidelines. Potential impacts identified were Aesthetics, Air Quality, Biological Resources, Noise, Public Services, and Utilities & Service Systems. Mitigation Measures have been identified and are included in the Mitigation Monitoring Program to minimize these impacts to Less than a Significant Impact.
- c. The project has been reviewed pursuant to the requirements of the City's National Pollutant Discharge Elimination System (NPDES) Municipal Permit, the Local Implementation Plan (LIP), and the Model Water Quality Management Plan (WQMP), Section 7.2. All work undertaken will be required to incorporate Best Management Practices (BMPs) as required by the requirements of the NPDES.
- d. The Planning Commission held a duly noticed public hearing on August 1, 2019 to consider the Initial Study and Mitigated Negative Declaration of Environmental Impact MND 19-01. After considering all the written and oral evidence offered, including the staff report and all attachments, the Planning Commission certifies MND 19-01 subject to the Mitigation Monitoring Program (Exhibit A) along with the Findings of Facts (Exhibit B).

Section 2. The Planning Commission further finds and determines that:

- a. The Initial Study, including the Mitigation Monitoring Program, fully addresses possible impacts resulting from the proposed development and has been prepared and completed in compliance with the requirements of CEQA.

- b. A legal Notice of Public Hearing and a Notice of Intent to Adopt Mitigated Negative Declaration 19-01, as required by law, was provided to the public and all responsible agencies for a 20-day period beginning on June 25, 2019 and ending on July 15, 2019, pursuant to Section 15072 of the CEQA Guidelines. Copies of the reports were made available at the Community Development public counter at City Hall, on the City's website, and at the La Habra Branch of the Orange County Library system. During the 20-day public review period, staff received comment letters from Noah Zeko, Resident (July 5, 2019), Michael Awad, Resident (July 8, 2019), Orange County Transportation Authority (July 9, 2019), Ayman and Mariam Matta, residents (July 11, 2019), OC Public Works/ OC Development Services (July 15, 2019), Solid Waste Local Enforcement Agency (July 12, 2019), Department of Transportation, District 12 (July 17, 2019) and So Cal Gas (July 16, 2019). Responses to Comments have been prepared pursuant to the CEQA Guidelines and sent to the commenting agencies and residents and made a part of the Initial Study attached to the staff report. An additional comment letter was received from the Department of Fish and Wildlife after the close of the review period. While not legally obligated to respond to comments received after the review period, we have none the less prepared a response. The Response to Comment document has been updated to include these Comments.
- c. The Initial Study and the determination that a Mitigated Negative Declaration of Environmental Impact be processed reflects the City's independent judgment and analysis of the Project and is included as an attachment to the staff report.

Section 3. The Planning Commission hereby makes findings in support of its certification of the Initial Study/Mitigated Negative Declaration of Environmental Impact based on the "Finding of Facts" hereto as Exhibit "B".

Section 4. Based upon the foregoing, the Planning Commission of the City of La Habra certifies the Initial Study and Mitigated Negative Declaration of Environmental Impact MND 19-01 along with the Mitigation Monitoring Program attached hereto as Exhibit "A". The Planning Commission Secretary shall certify to the adoption of this resolution and transmit a copy to the Applicant.

Said motion CARRIED by the following roll call vote:

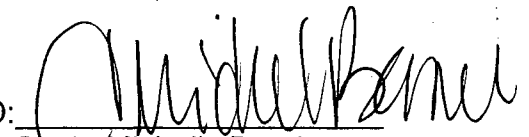
AYES: COMMISSIONERS: MANLEY, NIGSARIAN, POWELL, BERNIER  
NOES: COMMISSIONERS: NONE  
ABSTAIN: COMMISSIONERS: NONE  
ABSENT: COMMISSIONERS: FERNANDEZ

Dated: August 1, 2019

ATTEST

  
Carmen G. Henderson, Secretary

APPROVED:

  
Chair, Michelle Bernier

# MITIGATION MONITORING AND REPORTING PROGRAM

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## CITY OF LA HABRA VISTA GRANDE PARK IMPROVEMENT PROJECT



**LEAD AGENCY:**  
**CITY OF LA HABRA**  
**COMMUNITY DEVELOPMENT DEPT. & PUBLIC WORKS DEPT.**  
**110 EAST LA HABRA BOULEVARD**  
**LA HABRA, CALIFORNIA 90631**

**REPORT PREPARED BY:**  
**BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING**  
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**HACIENDA HEIGHTS, CALIFORNIA 91745**

**JULY 29, 2019**

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## **1. SUMMARY OF FINDINGS**

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The Initial Study determined that the proposed project is not expected to have significant adverse environmental impacts. The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this Initial Study:

- The proposed project *will not* have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened species or eliminate important examples of the major periods of California history or prehistory.
- The proposed project *will not* have impacts that are individually limited, but cumulatively considerable.
- The proposed project *will not* have environmental effects which will cause substantially adverse effects on human beings, either directly or indirectly.
- A mitigation reporting or monitoring program *will be* required.

Section 21081(a) of the Public Resources Code states that findings must be adopted by the decision-makers coincidental to the approval of a Mitigated Negative Declaration. These findings shall be incorporated as part of the decision-maker's findings of fact, in response to AB-3180. In accordance with the requirements of Section 21081(a) and 21081.6 of the Public Resources Code, the following additional findings may be made:

- A mitigation reporting or monitoring program will be required;
- Site plans and/or building plans, submitted for approval by the responsible monitoring agency, shall include the required standard conditions; and,
- An accountable enforcement agency or monitoring agency shall be identified for the mitigations adopted as part of the decision-maker's final determination.

## **2. MITIGATION MEASURES**

The analysis determined that the proposed project would potentially result in light and glare impacts. For this reason, the following mitigation is required:

*Mitigation Measure No. 1 (Aesthetics).* Parking area lighting, building lighting, and other safety and security lighting shall be designed and appropriately equipped to eliminate potential light trespass. The contractors must submit a lighting plan to the Chief Building Official for approval during the project's design phases.

In order to ensure that all construction staging occurs on-site and that the proposed project does not cause off-site particulate emissions, the following mitigation is required:

*Mitigation Measure No. 2 (Air Quality).* Construction contractor(s) will be required to use off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (U.S. EPA) Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during construction. Such equipment should be outfitted with Best Available Control Technology (BACT) devices including, but not limited to, a CARB certified Level 3 Diesel Particulate Filters (DPF).<sup>1</sup>

*Mitigation Measure No. 3 (Air Quality).* If the Lead Agency finds that Tier 4 construction equipment is not feasible pursuant to CEQA Guidelines Section 15364, alternative applicable strategies may include, but would not be limited to, Tier 3 construction equipment, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the project site, and/or limiting the number of individual construction project phases occurring simultaneously, if applicable.

*Mitigation Measure No. 4 (Air Quality).* The contractors will be required to use zero-emission or near-zero emission heavy-duty haul trucks during construction, such as trucks with natural gas engines that meet CARB's adopted optional NO<sub>x</sub> emissions standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that operators of heavy-duty haul trucks visiting the project site during the construction period commit to using 2010 model year or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NO<sub>x</sub> emissions or newer, cleaner trucks.

*Mitigation Measure No. 5 (Air Quality).* The contractors will be required to obtain all necessary SCAQMD permits related to the installation and/or modification of the existing on-site methane monitors located within the park. Evidence of the Contractor obtaining the necessary SCAQMD permit must be provided to the City of La Habra. Any installation or modification to the LPG collection/control system including probes or extraction wells must receive LEA approval and meet the requirements of Title 27 CCR.

In order to reduce any potential impact to avian species, the following mitigation measure is required:

*Mitigation Measure No. 6 (Biological Resources).* If clearing and/or construction activities will occur during the raptor or migratory bird nesting season (February 15–August 15), the project contractor shall retain a qualified biologist to conduct preconstruction surveys for nesting birds up to 14 days before construction activities. The qualified biologist shall survey the construction zone and a 500-foot buffer surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds. If active nest(s) are identified during the preconstruction survey, a qualified biologist shall establish a 100-foot no-activity setback for migratory bird nests and a 250-foot setback for raptor nests. No ground disturbance

<sup>1</sup> Level 3 DPFs are capable of achieving at least an 85 percent reduction in particulate matter emissions.

should occur within the no-activity setback until the nest is deemed inactive by the qualified biologist.

The analysis of potential cultural resources impacts indicated that the following mitigation measure is required:

*Mitigation Measure No. 7 (Cultural Resources Impacts).* The project contractors will be required to obtain the services of a qualified Native American Monitor and archeologist during construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, and trenching, within the project area. The monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The on-site monitoring shall end when the project site grading and excavation activities are completed.

The environmental analysis determined that there may be a potential for hazardous materials to be encountered during the construction phases of development. As a result the following mitigation measures are required.

*Mitigation Measure No. 8 (Hazardous Materials).* Engineering and design plans for the proposed improvements and all construction activities must be first approved by the LEA to ensure that ongoing remediation and monitoring activities will not be affected by the proposed project.

*Mitigation Measure No. 9 (Hazardous Materials).* The existing methane monitoring wells must be maintained during and following construction activities. All new building construction (storage sheds, restrooms, etc.) must be designed with proper ventilation to prevent an accumulation of methane gas. All new building construction must be designed with proper ventilation to prevent an accumulation of methane gas". Title 27 CC Section 21190 must be followed regarding buildings and structures.

The following mitigation measure is required to mitigate potential construction noise impacts:

*Mitigation Measure No. 10 (Noise).* All construction activities within the park must conform to the City's noise control ordinance. Appropriate signage indicating the construction time restrictions related shall be post in the parking areas and at the park entrance.

*Mitigation Measure No. 11 (Noise).* The contractors shall ensure that the contractors conduct grading and excavation activities between the hours of 7:00 AM and 5:00 PM Monday through Saturday, with no such grading and excavation activities permitted on Sundays or Federal holidays (this is a deviation from the City's noise control requirements).

*Mitigation Measure No. 12 (Noise).* The Contractors shall use construction equipment that includes working mufflers and other sound suppression equipment such as silencers and panels

around the engine and vents as a means to reduce machinery noise. A City Engineer must check and sign off on all construction equipment prior to the start of construction.

*Mitigation Measure No. 13 (Noise).* All activities within the park must conform to the City's noise control ordinance. Appropriate signage indicating the time restrictions related to the parks use shall be posted in the parking areas and at the park entrance.

*Mitigation Measure No. 14 (Noise).* Standard City regulations concerning maintenance times shall be applicable to the Vista Grande Park once the improvements have been completed.

The analysis of public service impacts indicated that no significant impacts are anticipated; however, to ensure the proposed project meets the City's Fire and Police department standards and conforms to AB 2926, the following mitigation is required:

*Mitigation Measure No. 15 (Public Services).* The contractor shall ensure that all exterior lighting (i.e., parking areas, building areas, and entries) shall employ illumination in a manner that meets the approval of the Chief Building Official.

The following measures and/or standard conditions with respect to utility systems will be applicable to the proposed project:

*Mitigation Measure No. 16 (Utilities).* The contractors shall install ultra-low flow water fixtures to reduce the volume of sewage to the system as required by the Public Works Director.

*Mitigation Measure No. 17 (Utilities).* The contractors shall review the California Department of Water Resources recommendations for water conservation and shall implement those measures considered feasible. A report indicating what is feasible shall be submitted to the Director of Public Works, Chief Building Official, and Director of Community Development for review and approval prior to the completion of final engineering plans.

### **3. MITIGATION MONITORING**

The monitoring and reporting on the implementation of these measures, including the period for implementation, monitoring agency, and the monitoring action, are identified in Table 1 provided on the following pages.

MITIGATED MONITORING & REPORTING PROGRAM  
 VISTA GRANDE PARK IMPROVEMENT PROJECT • CITY OF LA HABRA

<b>TABLE 1 MITIGATION-MONITORING PROGRAM</b>			
Measure	Enforcement Agency	Monitoring Phase	Verification
<p><b>Mitigation Measure No. 1 (Aesthetics).</b> Parking area lighting, building lighting, and other safety and security lighting shall be designed and appropriately equipped to eliminate potential light trespass. The contractors must submit a lighting plan to the Chief Building Official for approval during the project's design phases.</p>	Community Development Director and the Chief Building Official • <i>Applicant is responsible for implementation</i>	<p><i>During the project design process.</i></p> <ul style="list-style-type: none"> <li>•</li> </ul> <p>Mitigation ends at the approval of the lighting plan by the Chief Building Official.</p>	Date: Name & Title:
<p><b>Mitigation Measure No. 2 (Air Quality).</b> Construction contractor(s) will be required to use off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (U.S. EPA) Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during construction. Such equipment should be outfitted with Best Available Control Technology (BACT) devices including, but not limited to, a CARB certified Level 3 Diesel Particulate Filters (DPF).</p>	Community Development Director • <i>Applicant is responsible for implementation</i>	<p><i>During construction-related activities.</i></p> <ul style="list-style-type: none"> <li>•</li> </ul> <p>Mitigation ends when construction is completed.</p>	Date: Name & Title:
<p><b>Mitigation Measure No. 3 (Air Quality).</b> If the Lead Agency finds that Tier 4 construction equipment is not feasible pursuant to CEQA Guidelines Section 15364, alternative applicable strategies may include, but would not be limited to, Tier 3 construction equipment, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the project site, and/or limiting the number of individual construction project phases occurring simultaneously, if applicable.</p>	Community Development Director • <i>Applicant is responsible for implementation</i>	<p><i>During construction-related activities.</i></p> <ul style="list-style-type: none"> <li>•</li> </ul> <p>Mitigation ends when construction is completed.</p>	Date: Name & Title:
<p><b>Mitigation Measure No. 4 (Air Quality).</b> The contractors will be required to use zero-emission or near-zero emission heavy-duty haul trucks during construction, such as trucks with natural gas engines that meet CARB's adopted optional NOx emissions standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that operators of heavy-duty haul trucks visiting the project site during the construction period commit to using 2010 model year or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks.</p>	Community Development Director • <i>Applicant is responsible for implementation</i>	<p><i>During construction-related activities.</i></p> <ul style="list-style-type: none"> <li>•</li> </ul> <p>Mitigation ends when construction is completed.</p>	Date: Name & Title:

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**TABLE 1**  
**MITIGATION-MONITORING PROGRAM**

Measure	Enforcement Agency	Monitoring Phase	Verification
<p><b>Mitigation Measure No. 5 (Air Quality).</b> The contractors will be required to obtain all necessary SCAQMD permits related to the installation and/or modification of the existing on-site methane monitors located within the park. Evidence of the Contractor obtaining the necessary SCAQMD permit must be provided to the City of La Habra. Any installation or modification to the LPG collection/control system including probes or extraction wells must receive LEA approval and meet the requirements of Title 27 CCR.</p>	<p style="text-align: center;">Community Development Director • <i>Applicant is responsible for implementation</i></p>	<p><i>Prior to the start of any construction-related activities.</i></p> <ul style="list-style-type: none"> <li>•</li> </ul> <p>Contractors must obtain approval from the LEA to install or modify the existing onsite methane monitors and they must meet the requirements of Title 27 CCR.</p>	<p>Date: Name &amp; Title:</p>
<p><b>Mitigation Measure No. 6 (Biological Resources).</b> If clearing and/or construction activities will occur during the raptor or migratory bird nesting season (February 15–August 15), the project contractor shall retain a qualified biologist to conduct preconstruction surveys for nesting birds up to 14 days before construction activities. The qualified biologist shall survey the construction zone and a 500-foot buffer surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds. If active nest(s) are identified during the preconstruction survey, a qualified biologist shall establish a 100-foot no-activity setback for migratory bird nests and a 250-foot setback for raptor nests. No ground disturbance should occur within the no-activity setback until the nest is deemed inactive by the qualified biologist.</p>	<p style="text-align: center;">Community Development Director • <i>Applicant is responsible for implementation</i></p>	<p><i>Prior to the start of any construction-related activities.</i></p> <ul style="list-style-type: none"> <li>•</li> </ul> <p>Mitigation ends when the project site is cleared by the appointed biologist and construction is completed.</p>	<p>Date: Name &amp; Title:</p>
<p><b>Mitigation Measure No. 7 (Cultural Resources Impacts).</b> The project contractors will be required to obtain the services of a qualified Native American Monitor and archeologist during construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, and trenching, within the project area. The monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The on-site monitoring shall end when the project site grading and excavation activities are completed.</p>	<p style="text-align: center;">Community Development Director • <i>Applicant is responsible for implementation</i></p>	<p><i>Prior to the start of any construction-related activities.</i></p> <ul style="list-style-type: none"> <li>•</li> </ul> <p>Mitigation ends when ground disturbance is completed or otherwise noted by the appointed Native American Monitor(s).</p>	<p>Date: Name &amp; Title:</p>
<p><b>Mitigation Measure No. 8 (Hazardous Materials).</b> Engineering and design plans for the proposed improvements and all construction activities must be first approved by the LEA to ensure that ongoing remediation and monitoring activities will not be affected by the proposed project.</p>	<p style="text-align: center;">Community Development Director and the City Engineer • <i>Applicant is responsible for implementation</i></p>	<p><i>Prior to the start of any construction-related activities.</i></p> <ul style="list-style-type: none"> <li>•</li> </ul> <p>Mitigation ends when the engineering and design plans are approved by the LEA.</p>	<p>Date: Name &amp; Title:</p>

MITIGATED MONITORING & REPORTING PROGRAM  
VISTA GRANDE PARK IMPROVEMENT PROJECT • CITY OF LA HABRA

<b>TABLE 1 MITIGATION-MONITORING PROGRAM</b>			
<b>Measure</b>	<b>Enforcement Agency</b>	<b>Monitoring Phase</b>	<b>Verification</b>
<p><b>Mitigation Measure No. 9. (Hazardous Materials).</b> The existing methane monitoring wells must be maintained during and following construction activities. All new building construction (storage sheds, restrooms, etc.) must be designed with proper ventilation to prevent an accumulation of methane gas. All new building construction must be designed with proper ventilation to prevent an accumulation of methane gas". Title 27 CC Section 21190 must be followed regarding buildings and structures.</p>	<p>Community Development Director and the City Engineer</p> <p>•</p> <p><i>Applicant is responsible for implementation</i></p>	<p><i>Prior to the start of any construction-related activities.</i></p> <p>•</p> <p>Mitigation ends when construction is completed.</p>	<p>Date:</p> <p>Name &amp; Title:</p>
<p><b>Mitigation Measure No. 10 (Noise).</b> All construction activities within the park must conform to the City's noise control ordinance. Appropriate signage indicating the construction time restrictions related shall be post in the parking areas and at the park entrance.</p>	<p>Community Development Director</p> <p>•</p> <p><i>Applicant is responsible for implementation</i></p>	<p><i>During construction-related activities.</i></p> <p>•</p> <p>Mitigation ends when construction is completed.</p>	<p>Date:</p> <p>Name &amp; Title:</p>
<p><b>Mitigation Measure No. 11 (Noise).</b> The contractors shall ensure that the contractors conduct grading and excavation activities between the hours of 7:00 AM and 5:00 PM Monday through Saturday, with no such grading and excavation activities permitted on Sundays or Federal holidays (this is a deviation from the City's noise control requirements).</p>	<p>Community Development Director</p> <p>•</p> <p><i>Applicant is responsible for implementation</i></p>	<p><i>During construction-related activities.</i></p> <p>•</p> <p>Mitigation ends when construction is completed.</p>	<p>Date:</p> <p>Name &amp; Title:</p>
<p><b>Mitigation Measure No. 12 (Noise).</b> The Contractors shall use construction equipment that includes working mufflers and other sound suppression equipment such as silencers and panels around the engine and vents as a means to reduce machinery noise. A City Engineer must check and sign off on all construction equipment prior to the start of construction.</p>	<p>Community Development Director</p> <p>•</p> <p><i>Applicant is responsible for implementation</i></p>	<p><i>Prior to the start of any construction-related activities.</i></p> <p>•</p> <p>Mitigation ends when construction is completed.</p>	<p>Date:</p> <p>Name &amp; Title:</p>
<p><b>Mitigation Measure No. 13 (Noise).</b> All activities within the park must conform to the City's noise control ordinance. Appropriate signage indicating the time restrictions related to the parks use shall be posted in the parking areas and at the park entrance.</p>	<p>Community Development Director</p> <p>•</p> <p><i>Applicant is responsible for implementation</i></p>	<p><i>During project operation.</i></p> <p>•</p> <p>Mitigation to continue over the project's operational lifetime.</p>	<p>Date:</p> <p>Name &amp; Title:</p>
<p><b>Mitigation Measure No. 14 (Noise).</b> Standard City regulations concerning maintenance times shall be applicable to the Vista Grande Park once the improvements have been completed.</p>	<p>Community Development Director</p> <p>•</p> <p><i>Applicant is responsible for implementation</i></p>	<p><i>During project operation.</i></p> <p>•</p> <p>Mitigation to continue over the project's operational lifetime.</p>	<p>Date:</p> <p>Name &amp; Title:</p>

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<b>TABLE 1 MITIGATION-MONITORING PROGRAM</b>			
<b>Measure</b>	<b>Enforcement Agency</b>	<b>Monitoring Phase</b>	<b>Verification</b>
<p><b>Mitigation Measure No. 15 (Public Services).</b> The contractor shall ensure that all exterior lighting (i.e., parking areas, building areas, and entries) shall employ illumination in a manner that meets the approval of the Chief Building Official.</p>	<p>Community Development Director and the Chief Building Official</p> <p>•</p> <p><i>Applicant is responsible for implementation</i></p>	<p><i>During the project design process.</i></p> <p>•</p> <p>Mitigation ends at the approval of the lighting plan by the Chief Building Official.</p>	<p>Date:</p> <p>Name &amp; Title:</p>
<p><b>Mitigation Measure No. 16 (Utilities).</b> The contractors shall install ultra-low flow water fixtures to reduce the volume of sewage to the system as required by the Public Works Director.</p>	<p>Community Development Director and the Public Works Director</p> <p>•</p> <p><i>Applicant is responsible for implementation</i></p>	<p><i>Prior to the start of any construction-related activities.</i></p> <p>•</p> <p>Mitigation ends when construction is completed.</p>	<p>Date:</p> <p>Name &amp; Title:</p>
<p><b>Mitigation Measure No. 17 (Utilities).</b> The contractors shall review the California Department of Water Resources recommendations for water conservation and shall implement those measures considered feasible. A report indicating what is feasible shall be submitted to the Director of Public Works, Chief Building Official, and Director of Community Development for review and approval prior to the completion of final engineering plans.</p>	<p>Community Development Director and the Chief Building Official</p> <p>•</p> <p><i>Applicant is responsible for implementation</i></p>	<p><i>Prior to the start of any construction-related activities.</i></p> <p>•</p> <p>Mitigation ends when report is approved by the Director of Public Works, Chief Building Official, and Director of Community Development.</p>	<p>Date:</p> <p>Name &amp; Title:</p>



## FINDINGS AND STATEMENT OF FACTS FOR MITIGATED NEGATIVE DECLARATION VISTA GRANDE PARK IMPROVEMENT PROJECT LA HABRA, CALIFORNIA

The City of La Habra, in its capacity as Lead Agency for the above-entitled discretionary action, has reviewed and considered the information contained in the Initial Study in support of the Mitigated Negative Declaration prepared for the proposed Vista Grande Park Improvement Project.

### INTRODUCTION

This document identifies the findings and facts that the City of La Habra will consider relative to the conclusions of the Initial Study and the Mitigated Negative Declaration prepared for the proposed project. These *Findings* and the *Facts in Support of Findings* are made in accordance with Sections 15091 through 15093 of the California Environmental Quality Act (CEQA) Guidelines and pursuant to Sections 21081 of the California Public Resources Code. This document consists of the following sections:

- *Section I Findings with Respect to Significant Environmental Effects* contains those findings concerning the proposed project's potential significant effects and the feasibility of the mitigation measures included in the Initial Study to mitigate these significant effects.
- *Section II Findings with Respect to the Environmental Review Process* includes the findings of the Lead Agency with respect to the environmental review completed for the proposed project.
- *Section III Findings with Respect to the Environmental Analysis* includes facts in support of findings and findings concerning significant effects for each of the issues examined in the Initial Study prepared for the project.

### I. FINDINGS WITH RESPECT TO SIGNIFICANT ENVIRONMENTAL EFFECTS

The Initial Study prepared for the proposed Vista Grande Park Improvement Project determined that the project is not expected to have significant adverse environmental impacts, with the implementation of the recommended mitigation measures. The following findings can be made regarding the mandatory findings of significance set forth in Section 15065 of the CEQA Guidelines based on the results of this environmental assessment:

- The approval and subsequent implementation of the proposed Vista Grande Park Improvement Project *will not* have the potential to degrade the quality of the environment, with the implementation of the recommended standard conditions and mitigation measures included in the Initial Study and restated herein.
- The approval and subsequent implementation of the proposed Vista Grande Park Improvement Project *will not* have the potential to achieve short-term goals to the disadvantage of long-term

FINDINGS AND STATEMENT OF FACTS  
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION  
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environmental goals, with the implementation of the recommended standard conditions and mitigation measures referenced in the Initial Study and restated herein.

- The approval and subsequent implementation of the proposed Vista Grande Park Improvement Project *will not* have impacts that are individually limited, but cumulatively considerable, when considering planned or proposed development in the immediate vicinity, with the implementation of the recommended standard conditions and mitigation measures contained in the Initial Study and restated herein.
- The approval and subsequent implementation of the proposed Vista Grande Park Improvement Project *will not* have environmental effects that will adversely affect humans, either directly or indirectly, with the implementation of the recommended standard conditions and mitigation measures contained in the Initial Study and restated herein.

In addition, pursuant to Section 21081(a) of the Public Resources Code, the following findings will be adopted by the City of La Habra coincidental to the approval of a Mitigated Negative Declaration, which relates to the Mitigation Monitoring and Reporting Program. These findings have been incorporated herein in response to AB 3180 and in compliance with the requirements of the Public Resources Code. In accordance with the requirements of Section 21081(a) and 21081.6 of the Public Resources Code, the City of La Habra can make the following additional findings:

- A mitigation monitoring and reporting program will be required.
- Site plans and/or building plans, submitted for approval by the responsible monitoring agency, shall include the required standard conditions.
- An accountable enforcement agency or monitoring agency shall be identified for the mitigations adopted as part of the decisionmaker's final determination.

The City of La Habra, acting as the designated Lead Agency and the decision-maker for the approval and subsequent implementation of the proposed project, has reviewed and considered the information contained in the Initial Study prepared for the proposed Vista Grande Park Improvement project. In addition, the Lead Agency has reviewed the public record as it relates to the proposed action. The Lead Agency makes the following findings, pursuant to the CEQA and CEQA Guidelines:

- I.A. The City of La Habra Planning Commission, as decision-maker, having reviewed and considered the information contained in the Initial Study prepared for the proposed project and the public record, finds that the recommended mitigation for the proposed project will avoid or substantially lessen potentially significant environmental impacts.
- I.B. The City of La Habra, as Lead Agency and decision-maker, having reviewed and considered the information contained in the Initial Study prepared for the proposed project and the public record, finds that there are no specific economic, social, or other considerations which make the implementation of the recommended mitigation measures contained in the Initial Study infeasible.

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- I.C.* The City of La Habra, in its capacity as Lead Agency and decision-maker, having reviewed and considered the information contained in the Initial Study prepared for the proposed project, and the public record, will adopt the mitigation measures contained in the Initial Study and referenced in the Mitigation Monitoring and Reporting Program.

## **II. FINDINGS WITH RESPECT TO THE ENVIRONMENTAL REVIEW PROCESS**

The City of La Habra, acting as Lead Agency for the environmental review of the proposed project, makes the following findings with regard to the environmental review process undertaken to analyze the proposed project's potential environmental impacts:

- II.A.* Pursuant to the provisions of Section 15082 of the State CEQA Guidelines, as amended, the City of La Habra, as Lead Agency, oversaw the preparation of an Initial Study to ascertain the nature and scope of any potential impacts.
- II.B.* The Initial Study prepared for the proposed project determined that there were a number of potentially significant effects associated with the proposed project. The Initial Study further identified the mitigation measures that would be effective in eliminating potential impacts or reducing the effects to levels that were less than significant. For this project, the Lead Agency determined that a Mitigated Negative Declaration was required pursuant to CEQA for the proposed Vista Grande Park Improvement Project.
- II.C.* The Initial Study and the Mitigated Negative Declaration were circulated for a period of 30 days. Copies of the Notice of Intent to Adopt a Mitigated Negative Declaration and the Initial Study were made available to the State Clearinghouse, responsible agencies, the neighboring cities, the public at the local library, and at City Hall. Upon the close of the comment period, the Lead Agency proceeded to evaluate and prepare responses to all written comments received during the public review period.
- II.D.* The aforementioned comments and responses and other information consistent with the requirements of Section 15132(b)(c)(d)(e) and the State CEQA Guidelines, as amended, were considered with the final document. Following completion of the Response to Comments, the Lead Agency's responses to the comments received were transmitted to those parties for consideration prior to the adoption of the Mitigated Negative Declaration.

## **III. FINDINGS WITH RESPECT TO THE ENVIRONMENTAL ANALYSIS**

The City of La Habra, acting as Lead Agency for the environmental review of the proposed Vista Grande Park Improvement Project, finds that changes or alterations must be incorporated into the project in the form of mitigation measures in order to avoid or substantially lessen potentially significant environmental effects as identified in the Initial Study prepared in support of the Mitigated Negative Declaration. This section documents the Lead Agency's findings with respect to the environmental analysis, the facts in support of the findings, and the impacts following mitigation.

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III.A. The analysis determined that the following mitigation will be required to address AESTHETIC impacts:

*Mitigation Measure No. 1 (Aesthetics).* Parking area lighting, building lighting, and other safety and security lighting shall be designed and appropriately equipped to eliminate potential light trespass. The contractors must submit a lighting plan to the Chief Building Official for approval during the project's design phases.

III.B. The analysis of AGRICULTURE AND FORESTRY resources impacts indicated that no significant adverse impacts would result from the approval and subsequent implementation of the proposed project. As a result, no mitigation is required.

III.C. The following mitigation is required as part of this project to ensure that potential AIR QUALITY impacts are mitigated to levels that is less than significant:

*Mitigation Measure No. 2 (Air Quality).* Construction contractor(s) will be required to use off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (U.S. EPA) Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during construction. Such equipment should be outfitted with Best Available Control Technology (BACT) devices including, but not limited to, a CARB certified Level 3 Diesel Particulate Filters (DPF).

*Mitigation Measure No. 3 (Air Quality).* If the Lead Agency finds that Tier 4 construction equipment is not feasible pursuant to CEQA Guidelines Section 15364, alternative applicable strategies may include, but would not be limited to, Tier 3 construction equipment, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the project site, and/or limiting the number of individual construction project phases occurring simultaneously, if applicable.

*Mitigation Measure No. 4 (Air Quality).* The contractors will be required to use zero-emission or near-zero emission heavy-duty haul trucks during construction, such as trucks with natural gas engines that meet CARB's adopted optional NOx emissions standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that operators of heavy-duty haul trucks visiting the project site during the construction period commit to using 2010 model year or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks.

*Mitigation Measure No. 5 (Air Quality).* The contractors will be required to obtain all necessary SCAQMD permits related to the installation and/or modification of the existing on-site methane monitors located within the park. Evidence of the Contractor obtaining the necessary SCAQMD permit must be provided to the City of La Habra.

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**III.D.** In order to reduce any potential impact BIOLOGICAL RESOURCES (avian species), the following mitigation measure is required:

*Mitigation Measure No. 6 (Biological Resources).* If clearing and/or construction activities will occur during the raptor or migratory bird nesting season (February 15–August 15), the project contractor shall retain a qualified biologist to conduct preconstruction surveys for nesting birds up to 14 days before construction activities. The qualified biologist shall survey the construction zone and a 500-foot buffer surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds. If active nest(s) are identified during the preconstruction survey, a qualified biologist shall establish a 100-foot no-activity setback for migratory bird nests and a 250-foot setback for raptor nests. No ground disturbance should occur within the no-activity setback until the nest is deemed inactive by the qualified biologist.

**III.E.** The analysis determined that the proposed project would potentially result in CULTURAL RESOURCES impacts. For this reason, the following mitigation measures are required:

*Mitigation Measure No. 7 (Cultural Resources Impacts).* The project contractors will be required to obtain the services of a qualified Native American Monitor and archeologist during construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, and trenching, within the project area. The monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The on-site monitoring shall end when the project site grading and excavation activities are completed.

**III.F.** The analysis determined that no significant GEOLOGICAL impacts on significant landforms or geological features. The contractors will be required to ensure that the proposed project's construction complies with all pertinent provisions of the California Building Code including those related to the reduction of seismic risk.

**III.G.** The analysis determined that no significant ENERGY-related impacts would result from the proposed project's implementation. The contractors will be required to ensure that the proposed project's construction complies with all pertinent provisions of the Green Building Code and the City's Low Impact Development requirements.

**III.H.** The analysis of GREENHOUSE gas impacts indicated that no significant adverse impacts would result from the approval and subsequent implementation of the proposed project.

**III.I.** The environmental analysis determined that there may be a potential for HAZARDOUS MATERIALS impacts in the absence of mitigation. As a result the following mitigation measures are required.

*Mitigation Measure No. 8 (Hazardous Materials).* Engineering and design plans for the proposed improvements and all construction activities must be first approved by the LEA to

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ensure that ongoing remediation and monitoring activities will not be affected by the proposed project.

*Mitigation Measure No. 9 (Hazardous Materials).* The existing methane monitoring wells must be maintained during and following construction activities. All new building construction (storage sheds, restrooms, etc.) must be designed with proper ventilation to prevent an accumulation of methane gas.

*III.J.* The environmental analysis determined that there would not be any impacts related to HYDROLOGY AND WATER QUALITY and no mitigation would be required. The contractors will be required to comply with all pertinent regulations.

*III.K.* The analysis of LAND USE AND PLANNING impacts indicated that there would not be a potential for significant adverse impacts on land use and development. Therefore, no mitigation is required.

*III.L.* The analysis determined that the proposed project would not result in any significant adverse impacts to MINERAL RESOURCES. Therefore, no mitigation is required.

*III.M.* The analysis of potential NOISE impacts determined that the following measures will further ensure that on-site construction and operational activities do not adversely impact noise sensitive land uses located nearby:

*Mitigation Measure No. 10 (Noise).* All construction activities within the park must conform to the City's noise control ordinance. Appropriate signage indicating the construction time restrictions related shall be post in the parking areas and at the park entrance.

*Mitigation Measure No. 11 (Noise).* The contractors shall ensure that the contractors conduct grading and excavation activities between the hours of 7:00 AM and 5:00 PM Monday through Saturday, with no such grading and excavation activities permitted on Sundays or Federal holidays (this is a deviation from the City's noise control requirements).

*Mitigation Measure No. 12 (Noise).* The Contractors shall use construction equipment that includes working mufflers and other sound suppression equipment such as silencers and panels around the engine and vents as a means to reduce machinery noise. A City Engineer must check and sign off on all construction equipment prior to the start of construction.

*Mitigation Measure No. 13 (Noise).* All activities within the park must conform to the City's noise control ordinance. Appropriate signage indicating the time restrictions related to the parks use shall be posted in the parking areas and at the park entrance.

*Mitigation Measure No. 14 (Noise).* Standard City regulations concerning maintenance times shall be applicable to the Vista Grande Park once the improvements have been completed.

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**III.N.** The analysis of POPULATION AND HOUSING impacts indicated that no significant adverse impacts would result from the proposed project's construction and subsequent operation. As a result, no mitigation, with respect to housing and population, is required.

**III.O.** The analysis of PUBLIC SERVICE impacts indicated that no significant impacts are anticipated; however, to ensure the proposed project meets the City's Fire and Police department standards and conforms to AB 2926, the following mitigation is required:

*Mitigation Measure No. 15 (Public Services).* The Contractor shall ensure that all exterior lighting (i.e., parking areas, building areas, and entries) shall employ illumination in a manner that meets the approval of the Chief Building Official.

**III.P.** The analysis determined that the proposed project would not result in any significant adverse impacts on RECREATION facilities and/or services. Therefore, no mitigation is required.

**III.Q.** The analysis of TRANSPORTATION impacts indicated that no significant adverse impacts would result from the proposed park project. As a result, no mitigation with respect to traffic is required.

**III.R.** The analysis of TRIBAL RESOURCES impacts indicated that no significant adverse impacts would result from the proposed park project. The analysis of tribal resources indicated that no significant impacts would result from the proposed project's implementation. Nevertheless, mitigation was provided in Section III.E would apply.

**III.S.** The following measures with respect to UTILITY AND SERVICE STSTEMS will be applicable to the proposed project:

*Mitigation Measure No. 16 (Utilities).* The contractors shall install ultra-low flow water fixtures to reduce the volume of sewage to the system as required by the Public Works Director.

*Mitigation Measure No. 17 (Utilities).* The contractors shall review the California Department of Water Resources recommendations for water conservation and shall implement those measures considered feasible. A report indicating what is feasible shall be submitted to the Director of Public Works, Chief Building Official, and Director of Community Development for review and approval prior to the completion of final engineering plans.

**III.T.** The analysis of potential WILDFIRE impacts indicated that no significant impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

#### IV. FINDINGS WITH RESPECT TO REVIEW OF THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION.

This section indicates those revisions that were requested by those individuals and agencies that commented on the Initial Study and Mitigated Negative Declaration that was circulation for public review. First the Agency or individual is identified along with the written comment(s) requesting the revision. The specific change or revision that prepared in response to the comment is then identified immediately below the comment. The changes and/or revisions outlined in this section will be made part of the administrative record as part of the project's approval and the adoption of Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program.

The original comment is identified and is shown in *italics*. The Lead Agency's revisions to the Initial Study are noted immediately below the original comment.

**Response to Comment Letter Dated July 17, 2019**  
**Scott Shelley, California Department of Transportation, District 12**  
**Revision to IS/MND in Response to Comment 5.**

*Please consider analyzing impacts to the City's existing and proposed bicycle facilities. The project is surrounded by existing bicycle facilities, and a proposed bicycle facility runs directly through the site. The park is also considered a "key destination" in the City of La Habra's Bikeway Master Plan (2017). Thus, the project site is an important part of the City's bicycle network. According to the Bikeway Master Plan, there are existing bicycle facilities on:*

- *Lambert Road, Class II bicycle lanes;*
- *Idaho Street, Class III bicycle route; and*
- *Las Lomas Drive, Class III bicycle route.*
- *There are proposed facilities on: Monte Visto Street, Class III bicycle route; and Coyote Creek Channel, Class I bicycle path (runs directly through project site).*

*Additionally, a proposed section of the OC Loop is located approximately 0.4 miles north of the project site. Please consider incorporating this into the project analysis, as visitors of Vista Grande Park may utilize the OC Loop, a regionally significant Class I trail.*

The following information will be added under Section 3.17.2.A.

*"According to the Bikeway Master Plan, there are existing bicycle facilities on:*

- *Lambert Road, Class II bicycle lanes;*
- *Idaho Street, Class III bicycle route; and*
- *Las Lomas Drive, Class III bicycle route.*
- *There are proposed facilities on: Monte Visto Street, Class III bicycle route; and Coyote Creek Channel, Class I bicycle path (runs directly through project site).*

*Additionally, a proposed section of the OC Loop is located approximately 0.4 miles north of the project site."*

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**Response to Comment Letter Dated July 15, 2019**  
**Richard Vuong, OC Public Works Service Area / OC Development Services**  
**Revision to IS/MND in Response to Comment 2.**

*The discussion on hydrology and water quality (Section 3.10, page 80) should clarify whether or not the project qualifies as a "Priority Development Project" under the city's municipal stormwater permit (Board Order R8-2009-0030), thereby requiring preparation of a "Project Water Quality Management Plan" (WQMP), or is instead a "Non-Priority Project", which would require preparation of a "Non Priority Water Quality Project Plan." The document references the need for a mandatory WQMP without this context.*

The following information will be added under Section 3.10.2.B

*"The project qualifies as a *Priority Development Project* under the City of La Habra municipal stormwater permit (Board Order R8-2009-0030), thereby requiring the preparation of a *Project Water Quality Management Plan*" (WQMP). In the event the project is determined to be, a *Non-Priority Project*, the preparation of a *Non Priority Water Quality Project Plan* would be required."*

**Response to Comment Letter Dated July 12, 2019**  
**Kathryn Cross, Solid Waste Local Enforcement Agency, Environmental Health**  
**Revision to IS/MND in Response to Comment 2.**

*On Page 40 of the MND, an Excavation Management Plan is discussed as required by SCAQMD Rule 1150. Title 27 CCR, Section 21190 (c) and (d), and requires both the Regional Water Quality Control Board and LEA to review and approve any excavation of the landfill or change/modification to the final cover.*

The following information will be added under Section 3.3.2.B, pages 40 and 41.

*"Title 27 CCR, Section 21190 (c) and (d), requires both the Regional Water Quality Control Board and LEA to review and approve any excavation of the landfill or change/modification to the final cover."*

**Revision to IS/MND in Response to Comment 3.**

*Starting on Page 41 methane emission is discussed as an SCAQMD issue. Methane emission into the air is an SCAQMD issue, however, subsurface methane mitigation, monitoring, and control are an LEA issue, and thus the LEA requirements in Title 27 for methane mitigation, monitoring and control must be followed, including modification to the gas collection system or the probes/wells.*

The following information will be added under Section 3.3.2.B, page 41 at the end of Subsection B.

*"In addition to the SCAQMD's Rules and Regulations, however, subsurface methane mitigation, monitoring, and control are also an LEA issue. As a result, the LEA requirements contained in Title 27 for methane mitigation, monitoring and control must be followed, including modification to the gas collection system or the probes/wells."*

**Revision to IS/MND in Response to Comment 4**

*As mentioned on Page 42, under the Section 3.3.2 Analysis of Environmental Impacts, the LEA conducts quarterly inspections of the former landfill and reviews the methane compliance probe monitoring reports for the landfill. These probes and the extraction wells that exist at the site must be protected during construction activities and any damaged probes or wells must be replaced with LEA approval. This is mentioned in Section 3.9.2 but does not mention LEA approval or contacting LEA if damage occurs.*

The following information will be added under Section 3.9.2.B, page 75.

“The LEA also conducts quarterly inspections of the former landfill and reviews the methane compliance probe monitoring reports for the landfill. These probes and the extraction wells must be protected during construction activities and any damaged probes or wells must be replaced with the approval of the LEA.”

**Revision to IS/MND in Response to Comment 5**

*On Page 42 and 46, under the Section 3.3.2 Analysis of Environmental Impacts, "The contractors will be required to obtain all necessary SCAQMD permits related to the installation and/or modification of existing onsite methane monitors". Any installation or modification to the LPG collection/control system including probes or extraction wells must receive LEA approval and meet the requirements of Title 27 CCR.*

The following information (the new required text is underlined) will be added under Section 3.3.3.B, pages 42 and 46 "Mitigation Measure No. 5." The same revision to the mitigation measure must be made to Table 4-1 (Mitigation Monitoring Program).

The following mitigation will be applicable to the installation and/or maintenance of the methane monitoring wells:

- The contractors will be required to obtain all necessary SCAQMD permits related to the installation and/or modification of the existing on-site methane monitors located within the park. Evidence of the Contractor obtaining the necessary SCAQMD permit must be provided to the City of La Habra. Any installation or modification to the LPG collection/control system including probes or extraction wells must receive LEA approval and meet the requirements of Title 27 CCR.

And

*Mitigation Measure No. 5 (Air Quality).* The contractors will be required to obtain all necessary SCAQMD permits related to the installation and/or modification of the existing on-site methane monitors located within the park. Evidence of the Contractor obtaining the necessary SCAQMD permit must be provided to the City of La Habra. Any installation or modification to the LPG collection/control system including probes or extraction wells must receive LEA approval and meet the requirements of Title 27 CCR.

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**Revision to IS/MND in Response to Comment 6**

*On Page 76, under the Section 3.9.2 Analysis of Environmental Impacts; Page 135, Mitigation Measure No. 9; Table 4.1, Mitigation Monitoring Program, Mitigation Measure No. 9 "All new building construction must be designed with proper ventilation to prevent an accumulation of methane gas". Title 27 CC Section 21190 must be followed regarding buildings and structures.*

The following information (the new required text is underlined) will be added under Section 3.9.2 to Mitigation Measure No. 9 and to the same measure identified in Table 4-1 (Mitigation Monitoring Program).

- The existing methane monitoring wells must be maintained during and following construction activities. All new building construction (storage sheds, restrooms, etc.) must be designed with proper ventilation to prevent an accumulation of methane gas. All new building construction must be designed with proper ventilation to prevent an accumulation of methane gas". Title 27 CC Section 21190 must be followed regarding buildings and structures.

And

*Mitigation Measure No. 9 (Hazardous Materials).* The existing methane monitoring wells must be maintained during and following construction activities. All new building construction (storage sheds, restrooms, etc.) must be designed with proper ventilation to prevent an accumulation of methane gas. All new building construction must be designed with proper ventilation to prevent an accumulation of methane gas". Title 27 CC Section 21190 must be followed regarding buildings and structures.

**Revision to IS/MND in Response to Comment 7**

*Table 4.1, Mitigation Monitoring Program, Mitigation Measure No. 5, contractors must obtain approval from the LEA to install or modify the existing onsite methane monitors and they must meet the requirements of Title 27 CCR.*

The following information will be added to Table 4, under Mitigation Measure No. 5.

"Contractors must obtain approval from the LEA to install or modify the existing onsite methane monitors and they must meet the requirements of Title 27 CCR."