

**CITY OF AGOURA HILLS
SUNBELT MEDICAL OFFICE DEVELOPMENT
MITIGATION MONITORING PROGRAM**

Lead Agency:
City of Agoura Hills
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Purpose

Pursuant to Section 15097 of Title 14 of the California Code of Regulations, in order to ensure that the mitigation measures and project revisions identified in the environmental impact report EIR or Mitigated Negative Declaration (MND) are implemented, the lead agency in making findings related to significant impacts (pursuant to Sections 15091 and 15093 of Title 14 of the California Code of Regulations), shall adopt a program for monitoring or reporting on the revisions which it has required in the project to mitigate or avoid significant impacts. The program is to address adopted or required changes made to a project or imposed as conditions of approval to mitigate the significant environmental impacts of the project. This legislation is included as Section 21081.6 in the State Public Resources Code. As such, a Mitigation Monitoring Program (MMP) is required to be adopted by the City of Agoura Hills (City) concurrent with the adoption of findings for the Sunbelt Medical Office Development Project.

Project Description

The project applicant is requesting approval of a Conditional Use Permit and Oak Tree Permit in association with the proposed construction of two identical 12,600 square-foot, two-story, medical office buildings, four associated parking areas and landscaping improvements.

Mitigation Monitoring Checklist

The following table/checklist lists those environmental mitigation measures that were identified in the MND/IS, agreed to by the project applicant and subsequently incorporated into the project description. The table also indicates when and how often the mitigation measures shall be monitored, as well as who is responsible for monitoring compliance. The checklist serves as a reporting mechanism to ensure compliance with all mitigation measures. The table/checklist constitutes the City's MMP, and will be placed in the project file. City staff will compile relevant supporting mitigation compliance documentation and place it in the file with the MMP. The Mitigation Monitoring Program is a public document and is available for review with the possible exception of any proprietary information covered by an appropriate claim of confidentiality or otherwise found to qualify for an exemption from the Public Records Act (Government Code Section 6250 et. seq.).

Implementation and Monitoring Process

The City has adopted the mitigation measures as identified in this MMP as part of the project description for the Sunbelt Medical Office Development Project. As the lead agency for the project, it is responsible for ensuring that these measures are implemented.

Mitigation Monitoring Required by the City of Agoura Hills for the Sunbelt Medical Office Development Project – Implementation Table

Mitigation Identifier	Mitigation Measure	Implementation Timing	Documentation Required
MITIGATION MEASURES INCORPORATED INTO THE PROJECT			
Land Use			
LU1	<p>The project developer shall retain a Transportation Demand Management (TDM) professional to develop a TDM Plan for the proposed project. The TDM Plan shall include the requirements specified by the City of Agoura Hills Municipal Code Chapter 6, Division 4, Section 96544.4 and should also incorporate, but not necessarily be limited to the following measures:</p> <ul style="list-style-type: none"> • Provide secure and convenient bicycle parking facilities onsite; and • Provide a changing and shower room(s) for use by tenants of the project to encourage bicycling and walking to work. <p>The plan shall be submitted to the Planning Department for review and approval prior to issuance of a grading permit. The physical elements of the plan must be in place prior to issuance of an occupancy permit.</p>	TDM Plan to be developed prior to issuance of a grading permit. The physical elements of the plan must be in place prior to issuance of an occupancy permit.	City to retain copy of the approved TDM Plan. City to conduct field check to confirm implementation of TDM Plan.
Biological Resources			
BIO1	<p>The project applicant shall implement the Oak Tree Preservation Program as outlined fully in the L. Newman Design Group Oak Tree Report for the Sunbelt Corporate Center II Agoura Hills (June 17, 2009). In summary, the Program includes the following elements:</p> <ul style="list-style-type: none"> • Tree protection • Deadwood removal and/or pruning (if applicable) • Watering and fertilization (if applicable) • Disease and pest related measures (if applicable) • Grading limitations within the protected zone • Other considerations • Monitoring of oak tree mitigation techniques 	Oak Tree Preservation Program to be implemented prior to, during and after construction as warranted by the individual measures in the Plan.	The City Oak Tree Consultant shall make a site visit prior to construction operation to ensure appropriate placement of tree protection and shall make periodic visits during the construction phase to ensure applicable measures are implemented during this phase.
BIO2	The project applicant shall implement the oak tree protection measures Nos. 1-15	Oak tree protection measures to be	The City's Oak Tree Consultant shall make a

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	<p>as identified in the memo from the City's Oak Tree Consultant to staff dated June 1, 2009 regarding 05-CUP-006 and 05-OTP-032-Sunbelt Enterprises. In the event that measures in the Oak Tree Preservation Program as presented in the L. Newman Design Group Oak Tree Report are conflicting the more conservative measure that would provide the most protection to oak trees shall be implemented.</p>	<p>implemented prior to, during and after construction as warranted by the individual measures.</p>	<p>site visit prior to construction to ensure appropriate placement of tree protection and shall make periodic visits during the construction phase to ensure applicable measures are implemented during this phase.</p> <p>The City shall retain copies of certification letters from the Oak Tree Consultant for all work completed within the protected zone of any oak tree.</p>
Air Quality			
AQ1	<p>Pursuant to Rule 403 of the SCAQMD, the following dust minimizing measures shall be implemented:</p> <ul style="list-style-type: none"> a) The simultaneous disturbance of the site shall be minimized to the extent feasible. b) The project proponent shall comply with all applicable SCAQMD Rules and Regulations, including Rule 403 insuring the clean up of construction-related dirt on approach routes to the site. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile or disturbed surface area visible beyond the property line of the emission source. Particulate matter on public roadways is also prohibited. c) The project proponent shall comply with all SCAQMD established minimum requirements for construction activities to reduce fugitive dust and PM₁₀ emissions. d) Adequate watering techniques shall be employed to mitigate the impact of construction-related dust particulates. Portions of the site that are undergoing surface earth moving operations shall be watered such that a crust will be formed on the ground surface, and then watered again at the end of each day. Site watering shall be performed as necessary to 	<p>Emission reduction and dust control measures shall be implemented during construction.</p>	<p>The measures identified will be part of the construction specifications provided to the contractor. A copy of the contractor specification shall be provided to the City by the developer. City shall conduct periodic inspections of the grading and construction areas, during construction to ensure compliance.</p>

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	<p>adequately mitigate blowing dust.</p> <p>e) Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.</p> <p>f) Any construction access roads (other than temporary access roads) shall be paved as soon as possible and cleaned up after each work day. The maximum vehicle speed on unpaved roads shall be 15 mph.</p> <p>g) Grading operations shall be suspended during first stage ozone episodes or when winds exceed 25 mph. A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.</p> <p>h) Any construction equipment using direct internal combustion engines shall use a diesel fuel with a maximum of 0.05 percent sulfur and a four-degree retard.</p> <p>i) Construction operations affecting off-site roadways shall be scheduled by implementing traffic hours and shall minimize obstruction of through traffic lanes.</p> <p>j) The engines of idling trucks or heavy equipment shall be turned off if the expected duration of idling exceeds five (5) minutes.</p> <p>k) On-site heavy equipment used during grading and construction shall be equipped with diesel particulate filters unless it is demonstrated that such equipment is not available or its use is not cost-competitive.</p> <p>l) All haul trucks leaving or entering the site shall be covered or have at least two feet of freeboard.</p> <p>m) Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered twice daily.</p> <p>n) Any site access points within 30 minutes of any visible dirt deposition on any public roadway shall be</p>		

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	swept or washed.		
AQ2	<p>The following NOx control measures shall be incorporated during project construction:</p> <ul style="list-style-type: none"> a) When feasible, electricity from temporary power pole onsite shall be used rather than temporary diesel or gasoline generators. b) When feasible, on-site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment). c) Equipment engines shall be maintained in good condition and in proper tune as per manufacturer's specifications. d) Lengthen construction periods during the smog season so as to minimize the number of vehicles and equipment operating simultaneously. e) Use new technologies to control ozone precursor emissions as they become available. 	Emission reduction measures shall be implemented during construction.	The measures identified will be part of the construction specifications provided to the contractor. A copy of the contractor specification shall be provided to the City by the developer. City shall conduct periodic inspections of the grading and construction areas, during construction to ensure compliance.
Cultural Resources			
CR1	<p>A City-approved archaeologist retained by the developer shall monitor initial grading/excavation activities into undisturbed earth materials (i.e., grading in artificial fill at the southern end of the site does not need to be monitored) within the project site to determine if continued monitoring is warranted, and if so, to develop and implement an appropriate monitoring schedule.</p> <p>If archaeological resources are uncovered during excavation activities, the developer must notify the City of Agoura Hills Environmental Analyst immediately, and work must stop within a 100-foot radius until a qualified archaeologist satisfactory to the City of Agoura Hills has evaluated the find. Construction activity may continue unimpeded on other portions of the project site. If the find is determined by the qualified archaeologist to be a unique archaeological resource, as defined by Section 2103.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of Section 21083.2 of the Public Resources Code with mitigation developed and implemented as appropriate. If the find is determined not to be a unique</p>	During the site preparation and construction phase.	City to retain evaluation report from archaeologist and paleontologist as appropriate.

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	<p>archaeological resource, no further action is necessary and construction may continue.</p> <p>If resources are uncovered during excavation activities that may be paleontological in nature, the archaeological monitor in consultation with the Director of the City of Agoura Hills Planning Department, shall retain a City-approved paleontologist to evaluate the find. Work must stop within a 100-foot radius until the qualified paleontologist has evaluated the find. Construction activity may continue unimpeded on other portions of the project site.</p> <ul style="list-style-type: none"> • If fossils are encountered, the paleontologist will salvage scientifically significant fossil remains. • The paleontologist shall have the power to temporarily halt or divert grading efforts to allow evaluation and any necessary salvage of exposed fossils which are determined as potentially significant. • All fossils collected shall be identified. These remains shall be donated to an institution with research and/or educational interest in the materials and a retrievable storage system such as the Los Angeles County Museum of Natural History. • Locations of recorded fossil localities are confidential and are to be released on a "need to know" basis to reduce unauthorized collecting activities. • A final report summarizing findings, including an itemized inventory and contextual stratigraphic data, shall accompany the fossils to the designated repository with a copy also retained by the City. 		
CR2	<p>In the event of discovery of any human remains during project site preparation and construction, there shall be no further excavation or disturbance of the site or any nearby areas reasonably suspected to overlie adjacent human remains until,</p> <p>a) the County Coroner has been informed and has determined that no investigation of the cause of death is required; b) If the remains are of Native American origin, 1)</p>	<p>During the site preparation and construction phase.</p>	<p>City to retain a written record of the disposition of any human remains found on the project site.</p>

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	the descendants from the deceased Native Americans have made a recommendation for means of treating or disposing with appropriate dignity the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98 or 2) the Native American Heritage Commission was unable to identify a descendant or the descendent failed to make a recommendation within 24 hours after being notified by the Commission.		
Geology and Soils			
GEO1	The project design and construction shall comply with all recommendations outlined in the Geotechnical Engineering and Geologic Study (Advanced Geotechnical Services, Inc., 2004) and addendums, as accepted by the City Engineer.	During project design and construction.	City to retain final project plans which incorporate measures from the geotechnical studies for the project. City representatives shall make periodic field visits to ensure implementation of appropriate geotechnical measures.
Hydrology and Water Quality			
HYD1	Prior to issuance of a grading or building permit, the applicant shall prepare and submit a final drainage plan to the City's Public Works Department and Los Angeles County Flood Control District for approval. The drainage plan shall include post development designs that ensure adequate capacity to accommodate the Capital Flood and prevent flooding of the site and adjacent roadway. The drainage facilities shall meet the design requirements and capacities of the Master Plan of Drainage for the City of Agoura Hills, the Los Angeles County Department of Public Works Hydrology Manual and the Hydrology and Sedimentation Appendix. The 50-year Capital Flood storm shall be used for all open channels, closed conduits under major and secondary roads, and detention facilities. Additionally, the design shall meet all interim peak flow standards, or the most up to date standards, as established by the LACDPW. The plans shall be subject to review and approval by the City Engineer.	Drainage Plan to be submitted prior to issuance of a grading permit. Appropriate and adequate drainage facilities to be implemented during the construction phase.	City to retain a copy of the Final Drainage Plan and conduct periodic field inspection to ensure adequate installation of adequate and appropriate drainage facilities.
Aesthetics			
AES1	The project developer shall prepare and implement a construction "good housekeeping" plan, which will include at	Plan to be prepared prior to issuance of a grading permit and implemented during the	The City shall retain a copy of the "good housekeeping plan" and

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	a minimum: designation of specific areas for materials and equipment storage during construction; proper disposal of construction debris, and screening of equipment and materials from public views to the extent feasible during construction.	site preparation and construction phase.	shall conduct periodic site visits to ensure proper implementation of the plan.
Noise			
N1	<p>The project developer shall ensure that acceptable interior noise levels (50 dBA CNEL City standard) within the proposed medical office buildings are met through project construction/design measures. Noise reduction measures to adequately reduce interior noise levels may include:</p> <ul style="list-style-type: none"> • installation of ceilings/floors, doors, windows and exterior wall configurations of appropriate Sound Transmission Class (STC) ratings (e.g., STC rating of 35 or more); • airtight construction for stone veneer, block or stucco exterior walls; • at the penetration of exterior walls by pipes, ducts or conduits, the space between the wall and pips, ducts or conduits shall be caulked or filled with mortar; • A mechanical ventilation system shall be installed that will provide at least the minimum air circulation and fresh air supply requirements for various uses in occupied rooms without the need to open any windows, doors or other openings to the exterior; and • vent ducts specifically designed (e.g., using the appropriate material and without any direct line of sight through the duct) to meet the required noise reduction. <p>These attenuation features shall be shown on the construction plans, including detailed notes relating to these features, to be submitted to the City Building Division prior to issuance of a building permit and implemented during construction.</p>	Noise reduction measures to be incorporated into project plans prior to issuance of a building permit and implemented during construction.	The City shall retain a copy of the project plans and shall conduct a field inspection to ensure all appropriate measures are in place.
N2	On-site construction activity involving the use of heavy and/or loud noise producing equipment shall be limited to between the hours of 7:00 AM and 7:00 PM, Monday through Saturday pursuant to Article IV, Chapter 1, of the City's Municipal Code.	During the site preparation and construction phase.	The City shall conduct periodic field visits to ensure implementation of the measure.

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	Additionally, no such construction activity shall take place on Sundays or legal holidays.		
N3	A sign shall be posted at the construction site informing all workers and subcontractors of the time restrictions for construction activities. The sign shall also include the name and phone number of a Developer mitigation monitoring representative that will address any noise/vibration complaints relating to the proposed construction.	Prior to and throughout the site preparation and construction phase.	
There is no measure N4			
N5	Any stationary construction equipment will be placed within a noise reduction enclosure.	During the site preparation and construction phase.	City to conduct periodic field inspection to ensure mitigation measure is implemented.
N6	All construction equipment shall be in proper operating condition and fitted with standard noise reduction features (e.g., mufflers).	During the site preparation and construction phase.	City to conduct periodic field inspection to ensure mitigation measure is implemented.
N7	Construction contractors shall operate all diesel equipment with closed engine doors and such equipment shall have factory-recommended mufflers.	During the site preparation and construction phase.	City to conduct periodic field inspection to ensure mitigation measure is implemented.
N8	Construction contractors shall conduct truck loading, unloading, and hauling operations so noise and vibration are kept to a minimum.	During the site preparation and construction phase.	City to conduct periodic field inspection to ensure mitigation measure is implemented.
N9	Whenever feasible, construction contractors shall use electrical power to run air compressors and similar power tools.	During the site preparation and construction phase.	City to conduct periodic field inspection to ensure mitigation measure is implemented.
N10	In the event that nearby land use occupants are unable to conduct normal activities due to project construction noise and interior noise levels are in excess of acceptable noise criteria, the project developer shall have a temporary noise barrier erected to shield the use from project noise-producing construction activities. (The acceptable interior noise levels for residential and office uses are 45 dBA and 50 dBA CNEL respectively based upon the City's Noise Element.) The project developer will be responsible for retaining an acoustical engineer to determine the level of noise above ambient created by the project and to	During the site preparation and construction phase.	City to retain a copy of the acoustical engineers calculations and recommendations and shall also conduct periodic site inspections.

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	specify the type and placement of the noise barrier required to provide compensatory sound mitigation. It may be prudent to use a portable barrier, so that it could be moved to other locations on the site as the construction activity is concentrated at different locations.		
Transportation and Traffic			
T1	The traffic signal shall be modified to provide an eastbound right turn overlap phase. This measure must be financed by the developer prior to issuance of a building permit and fully implemented prior to the issuance of an occupancy permit for the proposed development.	This measure must be financed by the developer prior to issuance of a building permit and fully implemented prior to the issuance of an occupancy permit for the proposed development.	The City will collect financing and inspect for installation of signal.
T2	The southbound right turn shall be overlapped with the westbound phase if the westbound through movement (from the offramp to the onramp) is eliminated.	This measure must be financed by the developer prior to issuance of a building permit and fully implemented prior to the issuance of an occupancy permit for the proposed development.	The City will collect financing and inspect for installation of right turn overlap.
T3	The project developer shall pay the standard City Traffic Impact fee.	Prior to issuance of any permits.	Receipt of fee documentation.
T4	Prior to issuance of grading permits, the applicant shall make a non-refundable cash deposit (or some other form of security immediately available to the City and acceptable to the City Attorney and City Engineer) in an amount established by the City Engineer in-lieu of constructing the required traffic mitigation improvements as identified in measures T1 and T2 above. The amount deposited shall be credited against the development's required Traffic Impact Fee (TIF). The applicant shall pay the balance of the TIF (if any) in full prior to the issuance of a certificate of occupancy. At the City's discretion, the amount of the applicant's deposit may be applied to either the cost of interchange improvements at the Reyes Adobe Interchange or to construction of the originally-identified mitigation measures.	Prior to issuance of grading permits, the applicant shall make a non-refundable cash deposit. The applicant shall pay the balance of the TIF (if any) in full prior to the issuance of a certificate of occupancy.	Receipt of payment documentation.