
Agoura Oaks Plaza

MITIGATION MONITORING AND REPORTING PROGRAM

City of Agoura Hills

April 2006

FINAL
MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Mitigated Negative Declaration, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring and Reporting Program (MMRP).

To implement this MMRP, the City of Agoura Hills will designate a Project Mitigation Monitoring and Reporting Coordinator ("Coordinator"). The coordinator will be responsible for ensuring that the mitigation measures incorporated into the project are complied with during project implementation. The coordinator will also distribute copies of the MMRP to those responsible agencies identified in the MMRP, which have partial or full responsibility for implementing certain measures. Failure of a responsible agency to implement a mitigation measure will not in any way prevent the lead agency from implementing the proposed project.

The following table will be used as the coordinator's checklist to determine compliance with required mitigation measures.

Agoura Oaks Plaza
Draft Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
Comments						
AESTHETICS						
AES-1 If feasible, construction areas shall be screened from public view by temporary fencing. When not in use, equipment shall be stored in designated locations, shielded from view for motorists along U.S. 101 and Agoura Road. The developer shall clear the construction area south of Agoura Road of all excess construction debris on a daily basis. Implementation of the above mitigation would reduce temporary construction impacts for motorists along nearby scenic roadways.	Visual screening of construction areas by temporary fencing. Construction debris south of Agoura Road shall be removed daily.	During construction activities.	Fencing shall be checked at the start of construction, and daily cleanup of debris shall be checked periodically during construction.	PCD		
AES-2 Any retaining walls visible from designated scenic roadways shall be made to be consistent with the City's Architectural Design Standard and Guidelines (1992). Possible design features may include the use of textured retaining walls with more natural features, such as those that simulate rocks or boulders. Additionally, design features may include the planting of landscape vegetation along the wall facing adjacent roadways. This landscape vegetation shall include plants that provide vertical wall coverage, such as, bougainvillea, ivy and other climbing vines, in order to enhance the visual character of the wall, and break up the area of the wall visible to passing motorists. Such retaining wall, landscaping and other related design features shall be shown on the project plans and verified by City Planning and Community Development Department Staff prior to issuance of a Grading or Building Permit.	Plan Check.	Prior to issuance of a grading or building permit.	Once	PCD		
AES-3 The following LMSP standards and guidelines shall be met by the project: <ul style="list-style-type: none"> Engineered slope banks with consistent gradients shall be avoided. Instead grading design shall 	Plan Check.	Prior to issuance of a grading or building permit.	Once	PCD PWD		

Key: PCD City of Agoura Hills Planning and Community Development Department
EA City of Agoura Hills Environmental Analyst
PWD City of Agoura Hills Public Works Department
BD City of Agoura Hills Building Department
LACFCD Los Angeles County Flood Control District

Agoura Oaks Plaza
Draft Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<p><i>utilize slope banks with variable gradients using landform grading techniques.</i></p> <ul style="list-style-type: none"> <i>Grading shall not create angular forms but shall create contoured forms compatible with the natural topography. Rounding of the top and toe of slopes blends naturally with the existing landform.</i> <i>Contoured edge of cut slope shall conform to the natural grade.</i> <i>Concrete lined terrace drains and down drains shall be avoided. Natural materials such as rip rap are preferred.</i> 						
<p>AES-4 The cut slope shall be reseeded and replanted immediately after completion of grading with native plant species and in a natural plant configuration, to the extent feasible to ensure that the finished slope is visually compatible with the surrounding hillside areas. The precise landscape palette and design configuration shall be shown on the landscape plans submitted for review and approval by the City's Landscape Consultant prior to issuance of a grading or building permit.</p>	Plan Check.	Prior to issuance of a grading or building permit.	Once	PCD		
AIR QUALITY						
<p>AQ-1 The applicant shall implement both of the following during the application of architectural coatings:</p> <ol style="list-style-type: none"> Use paint and laquer products with a non-volatile organic compound (VOC) or low-VOC content (<100 grams per liter) for surface coating. Use high-pressure, low volume (HPLV) paint applicators or hand application for paint application, as feasible for surface coating. 	Incorporate requirements into contractor's notes. Plan Check prior to issuance of a building permit.	Prior to issuance of a Building Permit.	Once	PCD		

Key: PCD City of Agoura Hills Planning and Community Development Department
EA City of Agoura Hills Environmental Analyst
PWD City of Agoura Hills Public Works Department
BD City of Agoura Hills Building Department
LACFCD Los Angeles County Flood Control District

Agoura Oaks Plaza
 Draft Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
BIOLOGICAL RESOURCES						
BIO-1 To avoid the accidental take of any migratory bird species or raptors, the removal or pruning of trees shall be conducted between September 15 and February 15, outside of the typical breeding season, as feasible. Should avoidance of the nesting season not be feasible, a qualified biologist/ornithologist satisfactory to the City's Environmental Analyst shall be retained by the applicant to conduct focused nesting surveys within one week prior to grading or initial construction activity. The results of the nest survey shall be submitted to the City's Environmental Analyst for review via a letter report prior to initiation of grading or other construction activity. In the event that a nesting migratory bird species or raptor is observed in the habitat to be removed or in other habitat within 50 feet of the construction work areas, the applicant has the option of delaying all construction work in the suitable habitat area or within 50 feet thereof, until after September 15, or continuing focused surveys in order to locate any nests. If an active nest is found, clearing and construction within 50 feet of the nest shall be postponed until the nest is vacated and juveniles have fledged, and there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest site shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the ecological sensitivity of the area.	Timing of tree-removal/pruning to occur between September 15 and February 15, or pre-construction nesting bird surveys. Letter Report regarding findings of pre-construction nesting bird surveys. Avoidance of active nests during construction.	None if tree work is undertaken between September 15 and February 15. If tree work is undertaken between February 15 and September 15, Nesting surveys shall occur one week prior to initiation of grading or initial construction activity.	None if tree removal is conducted between September 15 and February 15. Once for pre-construction survey. May require additional monitoring during construction if active nests are found.	PCD		
BIO-2 Pursuant to the information included as Appendix G (letter dated January 13, 2006 from the California Department of Fish and Game and accompanying mitigation program), Prior to the issuance of a grading or building permit, the applicant shall pay an in-lieu fee at the standard rate, as determined by CDFG and the City of Agoura Hills, for the loss of jurisdictional	Payment of fees totaling \$9,850 to Santa Monica Mountains Conservancy or other entity acceptable to	Prior to issuance of a grading or building permit.	Once.	EA		

Key: PCD City of Agoura Hills Planning and Community Development Department
 EA City of Agoura Hills Environmental Analyst
 PWD City of Agoura Hills Public Works Department
 BD City of Agoura Hills Building Department
 LACFCD Los Angeles County Flood Control District

Agoura Oaks Plaza
Draft Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<p>waters. The fee should express the value of at least a 3:1 replacement for wetlands or jurisdictional waters lost. Based on California Department of Fish and Game consultation, the fee for the loss of the onsite 210 square feet of jurisdictional waters shall be \$5,100, and that for the loss of 160 square feet of stream south of Agoura Road shall be \$4,750. The fees shall be paid to the Santa Monica Mountains Conservancy or other entity acceptable to CDFG, the City, and applicant for use in willow, riparian, and wetland habitat replacement and restoration within the Malibu Watershed. A copy of the agreement with the entity and owner/applicant concerning the restoration and evidence of fee payment shall be provided to the City's Environmental Analyst prior to issuance of the grading or building permit.</p>	<p>CDFG, the City, and applicant. A copy of the agreement with the entity and owner/applicant concerning the restoration and evidence of fee payment shall be provided prior to issuance of the grading or building permit.</p>					
<p>BIO-3 Written evidence of approvals from the Regional Water Quality Control Board and Army Corps of Engineers shall be provided to the City's Environmental Analyst prior to issuance of a building or grading permit.</p>	<p>Written evidence of approvals from the RWQCB and ACOE.</p>	<p>Prior to issuance of a grading or building permit.</p>	<p>Once</p>	<p>EA</p>		
<p>BIO-4 The applicant shall comply with all components listed in the proposed mitigation program prepared by the applicant's biologist as part of Notification No. 1600-2005-0551-RS.</p>	<p>Compliance with CDFG approved mitigation program.</p>	<p>Prior to issuance of a grading or building permit.</p>	<p>Once.</p>	<p>EA</p>		
<p>BIO-5 The applicant shall obtain a permit from the City of Agoura Hills to remove three protected trees in accordance with the findings of the two oak tree surveys completed for the project by Envicom Corporation, dated July 22, 2005 and September 15, 2005. Based on the City of Agoura Hills Oak Tree Preservation Guidelines, the applicant shall mitigate the loss of tree #85 with at least four oak trees of the same species, at least three of which must meet the following criteria:</p>	<p>Payment of mitigation fees, submission of a Landscape Plan for approval, and replacement planting for protected oak trees in addition to</p>	<p>Prior to issuance of a grading or building permit. Prior to payment.</p>	<p>Twice</p>	<p>PCD</p>		

Key: PCD City of Agoura Hills Planning and Community Development Department
 EA City of Agoura Hills Environmental Analyst
 PWD City of Agoura Hills Public Works Department
 BD City of Agoura Hills Building Department
 LACFCD Los Angeles County Flood Control District

Agoura Oaks Plaza
Draft Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<p>1) Two twenty-four inch box specimen oak trees; and 2) One thirty-six inch box specimen oak tree.</p> <p>The trees shall be shown on final landscape plans, with the location approved by the City's Oak Tree and Landscape Consultant. The applicant shall mitigate the loss of trees #6, #7, and encroachment into #133, with the payment of an in-lieu fee to the City's oak tree mitigation fund as calculated by the City's Oak Tree Consultant. The City's Oak Tree Consultant has prepared a tentative valuation, per industry standards (International Society of Arboriculture), of the trees located on the south side of the street to be removed – a total of \$29,030. The final fee shall be determined by the City's Oak Tree Consultant.</p>	obtaining a permit to remove three protected trees.	occupancy for replacement oak planting.				
CULTURAL RESOURCES						
<p>CR-1 Initial grading activities (depths below five feet in the case of this project) shall be monitored by a qualified archaeologist. If archaeological resources are uncovered during excavation activities, the developer must notify the City of Agoura Hills Department of Planning and Community Development immediately and work must stop within a 100-foot radius until a qualified archeologist 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 archeologist to be a unique archeological 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 as appropriate. If the find is determined not to be a unique archaeological resource, no further action is</p>	Field monitoring by a qualified archaeologist.	During initial grading activities at depths below five feet.	Daily during initial grading activities below depths of five feet.	PCD		

Key: PCD City of Agoura Hills Planning and Community Development Department
 EA City of Agoura Hills Environmental Analyst
 PWD City of Agoura Hills Public Works Department
 BD City of Agoura Hills Building Department
 LACFCD Los Angeles County Flood Control District

Agoura Oaks Plaza
 Draft Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
necessary and construction may continue.						
GEOLOGY & SOILS						
GEO-1 Prior to approval of a grading permit, the applicant shall submit an erosion control plan that incorporates best management practices to the City Public Works Department for review and approval as part of the initial application process. Measures identified in such plans shall be implemented in addition to the recommendations of the Geotechnical Study (Gorian & Associates, 2005). Such measures may include slope protection measures, netting and sandbagging, landscaping and possibly hydroseeding, temporary drainage control facilities such as retention areas, etc.	Submit an erosion control plan to the City of Agoura Hills Public Works Department for review and approval.	Prior to issuance of a grading permit.	Once	PWD		
GEO-2 The project shall incorporate design and construction recommendations contained in the geotechnical investigations prepared for this project. The geotechnical investigations include: 1) Preliminary Geotechnical Engineering Report prepared for HQ Development (Earth Systems Southern California, Nov. 10, 2004); 2) Addendum Letter – Response to Geotechnical Reviewer (Earth Systems Southern California, Jun. 01, 2005); 3) City of Agoura Hills – Geotechnical Review Sheet (Bing Yen & Associates, Inc, July 20, 2005); 4) Geotechnical Site Investigation Update prepared for HQ Development LLC, (Gorian & Associates Inc., July 12, 2005); 5) Geotechnical Site Investigation, Proposed Cut Slope South Side of Agoura Road (Gorian & Associates, Inc, December 2, 2005 and Geotechnical Site Investigation Supplement, January 11, 2006). The reports contain recommendations that address seismic design parameters, site preparation and grading, excavations, utility trenches, soil expansiveness, foundation	Submission of a letter report from the project engineer documenting inclusion of all applicable recommendations contained in the geotechnical reports prepared for this project.	Prior to issuance of a grading permit.	Once	BD		

Key: PCD City of Agoura Hills Planning and Community Development Department
 EA City of Agoura Hills Environmental Analyst
 PWD City of Agoura Hills Public Works Department
 BD City of Agoura Hills Building Department
 LACFCD Los Angeles County Flood Control District

Agoura Oaks Plaza
 Draft Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<p>recommendations, slabs-on-grade specifications, site drainage, building runoff, manufactured slope construction and maintenance, and retaining wall design. Where recommendations for the same activity are included in more than one report, the recommendations contained in the most current report shall supercede. Compliance would be verified by the City of Agoura Hills Building Department prior to issuance of a grading permit, through submission of a letter from the Project Engineer that documents incorporation of all applicable design and construction recommendations.</p>						
HYDROLOGY						
<p>HYD 1 The applicant shall be required to prepare and submit a final drainage plan, prior to issuance of a grading permit, to the City's Public Works Department and Los Angeles County Flood Control for approval. Plans shall include detailed design and hydraulic analysis of the drainage facilities that capture and convey on- and off-site runoff for the area south of Agoura Road. The drainage plan shall include post development designs that ensure adequate capacity to accommodate the Capital Flood and prevent flooding of the roadway. These 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 road, and detention facilities. Additionally, 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.</p>	<p>Applicant's submittal of final drainage plans to be approved by the City's Public Works Department and the Los Angeles County Flood Control District.</p>	<p>Prior to issuance of a grading permit.</p>	<p>Once</p>	<p>LACFCD and PWD</p>		

Key: PCD City of Agoura Hills Planning and Community Development Department
 EA City of Agoura Hills Environmental Analyst
 PWD City of Agoura Hills Public Works Department
 BD City of Agoura Hills Building Department
 LACFCD Los Angeles County Flood Control District

Agoura Oaks Plaza
Draft Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
NOISE						
<p>N-1 The following noise insulating features shall be included in the project design to achieve an acceptable interior noise level:</p> <ul style="list-style-type: none"> Windows facing U.S. 101 shall have a minimum Standard Transmission Class (STC) of 33 and be properly installed, weather stripped, and insulated. Exterior doors with a minimum STC of 33 should be used and shall be insulated in conformance with Title 24 requirements. The exterior wall facing material should be designed for a minimum STC of 35. <p>Incorporation of these design requirements would be expected to achieve an interior noise level reduction of 25 dB or greater. These attenuating features shall be shown on the construction plans submitted to the City Building Department prior to issuance of a Building Permit.</p>	Inclusion of noise insulation features on construction plans with verification from City.	Prior to issuance of a building permit.	Once.	BD		
<p>N-2 Construction Hours. On-site construction activity, involving the use of equipment or machinery that generates noise levels in excess of the 55 dBA exterior daytime standard shall be limited to between the hours of 7 A.M. and 7 P.M., Monday through Saturday pursuant to City Ordinance 9656 and City Municipal Code Section 9666.4. No construction activity shall occur between 7 P.M. and 7 A.M. that generates noise in excess of the 50 dBA nighttime standard. No construction activity shall take place on Sundays or legal holidays.</p>	Compliance with noise ordinance.	During Construction.	As necessary during construction. Activity at site to be monitored by City on random basis during construction to determine compliance.	PCD		
TRANSPORTATION/CIRCULATION						
<p>TRF-1 Widen the west side of Kanan Road south of Agoura Road to facilitate the conversion of the existing southbound right-turn lane to a shared</p>	Road improvements.	Prior to occupancy.	Once	PWD		

Key: PCD City of Agoura Hills Planning and Community Development Department
 EA City of Agoura Hills Environmental Analyst
 PWD City of Agoura Hills Public Works Department
 BD City of Agoura Hills Building Department
 LACFCD Los Angeles County Flood Control District

Agoura Oaks Plaza
 Draft Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
through/right turn lane. The conversion would result in a LOS B during the AM peak hour and a LOS C in the PM peak hour. The costs associated with the widening of Kanan Road and Agoura Road should be credited towards the development fee as the roadway improvement is part of the fee based area wide improvement plan.						

Key: PCD City of Agoura Hills Planning and Community Development Department
 EA City of Agoura Hills Environmental Analyst
 PWD City of Agoura Hills Public Works Department
 BD City of Agoura Hills Building Department
 LACFCD Los Angeles County Flood Control District