

May 2025 | Mitigation Monitoring and Reporting Program
State Clearinghouse No. 2024120012

Landfill Gas to Energy Plant Project

City of Newport Beach

Prepared for:

City of Newport Beach

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1. Introduction

1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program (MMRP) has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in the Landfill Gas to Energy Plant Project Initial Study and Mitigated Negative Declaration (IS/MND), State Clearinghouse No. 2024120012. The MMRP has been prepared in conformance with Section 21081.6 of the Public Resources Code and the City of Newport Beach Monitoring Requirements. Section 21081.6 states:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
 - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
 - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

The State CEQA Guidelines Section 15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during project implementation. The City of Newport Beach is the lead agency for the Landfill Gas to Energy Plant Project (proposed project) and is therefore responsible for implementing the MMRP. The MMRP has been drafted to meet the requirements of Public Resources Code Section 21081.6 as a fully enforceable monitoring program.

The MMRP consists of the mitigation program and the measures to implement and monitor the mitigation program. The MMRP defines the following for the mitigation measures outlined in Table 2-1, *Mitigation Monitoring Requirements*:

- **Definition of Mitigation.** The mitigation measure contains the criteria for mitigation, either in the form of adherence to certain adopted regulations or identification of the steps to take for mitigation.

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- **Responsibility for Implementation.** Unless otherwise indicated, the project applicant (Archaea Energy) is the party responsible for implementing the mitigation.
- **Responsibility for Oversight.** Since the project site is owned by the County of Orange and operated by OCWR, OCWR will have oversight responsibility for implementation of the project's mitigation measures. OCWR's technical consultants will perform related monitoring tasks in their respective areas of expertise and under the direction of the environmental monitor manager. OCWR's mitigation monitoring team, consisting of the environmental monitor manager and technical subconsultants, is responsible for monitoring the implementation/compliance with all adopted mitigation measures. A major portion of the team's work is in-field monitoring and compliance report preparation. OCWR will also be responsible for first phase dispute resolution. Once OCWR prepares compliance reports, the reports will be submitted to the City for review and final approval.
- **Responsibility for Monitoring.** The City of Newport Beach will have the final responsibility for monitoring the performance and implementation of the mitigation measures. The City will be responsible for overall program administration, final compliance report review, dispute resolution, and document/report clearinghouse. If disputes cannot be resolved between OCWR and the project applicant, the City will arbitrate the final resolution of disputes. To guarantee that the mitigation measure will not be inadvertently overlooked, the City will be the official entity who grants the permit or authorization called for in the mitigation measure. All activities are subject to the approval of all required permits from local, state, and federal agencies with permitting authority over the specific activity.
- **Time Frame.** A time frame is provided for performance of each mitigation measure and/or documentation of implementation.

The numbering system in Table 1 corresponds with the numbering system used in the IS/MND. The last column of the MMRP table will be used by the parties responsible for documenting when implementation of the mitigation measure has been completed. The ongoing documentation and monitoring of mitigation compliance will be completed by the City of Newport Beach. The completed MMRP and supplemental documents will be kept on file at the City of Newport Community Development Department.

1.2 PROJECT SUMMARY

The Landfill Gas to Energy Plant project (proposed project) involves the installation and operation of a new renewable natural gas (RNG) processing plant and a pipeline interconnection facility (collectively referred to as the RNG facility). The proposed RNG facility would be constructed under a lease agreement with OC Waste & Recycling (OCWR), within the boundary of the closed Coyote Canyon Landfill (CCL), which is owned by the County of Orange and operated by OCWR. The project site is 4.14 acres and surrounded by a 12-foot perimeter wall. The proposed RNG facility would have a total footprint of 38,500 square feet (0.88 acres) and would convert existing landfill gas into a pipeline-quality natural gas equivalent. The pipeline interconnection facility would be approximately 6,000 square feet, and the RNG processing plant would be approximately 32,500 square feet. The interconnection facility would include a point of receipt (POR) skid to monitor the quality of the RNG and an 8-inch pipeline extension dedicated to transfer of the RNG from the POR to the

1. Introduction

existing fossil natural gas pipeline tie-in point, owned by SoCalGas, in the western part of the site. Other project components include new internal access routes and utility and infrastructure improvements. These improvements would include installation of a fire hydrant, an on-site water tank, a septic tank system for the proposed control room, a storm drain for off-site disposal of stormwater, and new underground power and telecommunication lines. Project implementation requires a conditional use permit (CUP) from the City of Newport Beach (City).

1. Introduction

1.3 PROJECT LOCATION

The project site is in the northeastern portion of Newport Beach in Orange County, California. The 4.14-acre project site is at the top of a hill at 20662 Newport Coast Drive within the boundary of the closed CCL. The project site is on a previously established level building pad, enclosed by a 12-foot perimeter wall with surrounding trees on all sides. The pad was previously developed with a landfill gas-to-energy plant which has since been demolished. The area immediately outside the perimeter wall that could be affected by the implementation of the proposed project includes understory species and viewshed trees. The trees are a mix of native and non-native species consisting of eucalyptus, Peruvian peppers, myporiums, white alders, western sycamores, and coast live oak. The project site can be accessed from State Route (SR-) 73, approximately 0.2 mile to the east via Newport Coast Drive, and from SR-1, approximately 2.7 miles to the south via Newport Coast Drive.

1.4 ENVIRONMENTAL IMPACTS

The level of significance is identified for each impact in the MND. Although the criteria for determining significance are different for each topic area, the environmental analysis applies a uniform classification of the impacts based on definitions consistent with CEQA and the CEQA Guidelines:

- **No impact.** The project would not change the environment.
- **Less than significant.** The project would not cause any substantial, adverse change in the environment.
- **Less than significant with mitigation incorporated.** The Initial Study includes mitigation measures that avoid substantial adverse impacts on the environment.
- **Significant and unavoidable.** The project would cause a substantial adverse effect on the environment, and no feasible mitigation measures are available to reduce the impact to a less than significant level.

1.4.1 Impacts Considered Less Than Significant

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Energy
- Greenhouse Gas Emissions
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Recreation
- Utilities and Serves Systems

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1.4.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Waste
- Hydrology and Water Quality
- Public Services
- Transportation
- Tribal Cultural Resources
- Wildfire

2. Mitigation Monitoring and Reporting Requirements

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 2-1. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures.

3. Mitigation Monitoring Requirements

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2. Mitigation Monitoring and Reporting Requirements

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Oversight	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
3.4 Biological Resources						
BIO-1	<p>Preconstruction Nesting Bird Surveys and Avoidance. Construction activities shall avoid the migratory bird nesting season (typically February 1 through August 31) to reduce any potential significant impact to birds that may be nesting in the project site. Additionally, vegetation within the proposed impact area can be removed outside of the nesting season to minimize the potential for birds to nest in the impact footprint. If construction activities must occur during the migratory bird nesting season, an avian nesting survey of the project site and within 500 feet of all impact areas must be conducted to determine the presence/absence of protected migratory birds and active nests. The avian nesting survey shall be performed by a qualified wildlife biologist within 72 hours prior to the start of construction in accordance with the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 3513. If an active bird nest is found, the nest shall be flagged and mapped on the construction plans, along with an appropriate buffer established around the nest, which shall be determined by the biologist based on the species' sensitivity to disturbance (typically 300 feet for passerines and 500 feet for raptors and special-status species). The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing. On-site construction monitoring shall be conducted when construction occurs in close proximity to an active nest buffer. No project activities shall encroach into established buffers without the consent of a monitoring biologist. The buffer shall remain in place until it is determined that the nestlings have fledged and the nest is no longer active.</p>	Project Applicant's Qualified Wildlife Biologist & Construction Contractors	72 hours prior to the construction start date. If construction activities must occur during the migratory bird nesting season	OCWR	City of Newport Beach Community Development Department	
BIO-2	<p>Preconstruction Bat Survey and Avoidance. Prior to the removal of trees that could support roosting bats during the maternity roosting season (March through August), a bat biologist shall survey the areas that could provide suitable roosting habitat for bats to confirm they contain no potential maternity roosts. If a potential maternity roost is</p>	Project Applicant's Qualified Biologist &	Prior to the removal of trees that could support roosting bats during the	OCWR	City of Newport Beach Community	

2. Mitigation Monitoring and Reporting Requirements

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Oversight	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>present, the following measures shall be implemented to reduce the potential impact to special-status bat species to a less-than-significant level:</p> <ol style="list-style-type: none"> Maternity Roosting Season Avoidance. All proposed construction activities that could impact suitable roosting habitat, including bat roost exclusion, shall occur outside the general bat maternity roosting season of March through August to reduce any potentially significant impact to maternity roosting bats. If the maternity roosting season cannot be avoided, then implement Items 2 and 3 below, prior to the maternity roosting season, to ensure no impacts occur to roosting bats during the exclusion process. Replacement Roost Installation. If there is a potential or known maternity roost within a tree to be removed, replacement roost installation shall occur outside of the maternity roosting season. At least one month prior to the exclusion of bats from a roost, the biologist shall procure and install bat boxes from a reputable vendor, such as Bat Conservation and Management, to allow bats sufficient time to acclimate to a new potential roost location. The bat boxes shall be installed in close proximity to the trees and in an area that is in close proximity to suitable foraging habitat (i.e., near coast live oak woodland). Additionally, the bat boxes shall be oriented to the south or southwest, and the area chosen for the bat boxes must receive sufficient sunlight (at least 6 hours) to allow the bat boxes to reach an optimum internal temperature (approximately 90°F) to mimic the existing bat roost. The bat boxes shall be suitable to house crevice-roosting bat species and large enough to contain a minimum of 50 bats (e.g., Four Chamber Premium Bat House or Bat Bunker Plus). The bat boxes shall be installed on a minimum 20-foot-tall steel pole. The bat boxes should be installed under the guidance of the bat biologist. Roost Exclusion. Roost exclusion must only occur outside of the maternity roosting season, and during the time when bats are 	Construction Contractors	maternity roosting season		Development Department	

2. Mitigation Monitoring and Reporting Requirements

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Oversight	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>most active (early spring or fall) to increase the potential to exclude all bats from roosts and minimize the potential for a significant impact to occur by avoiding the maternity roosting season. Approximately 1 month after bat boxes have been installed, exclusion of the existing roost shall occur. The primary exit points for roosting bats shall be identified, and all secondary ingress/egress locations shall be covered with a tarp, wood planks, or other methods, as directed by the bat biologist, to prevent bats from leaving from other locations. The primary exit point shall remain uncovered to allow exclusion devices to be installed. Exclusion devices may consist of a screen (poly netting, window screen, or fiberglass screening), foam, wood, or backer rods installed at the primary exit point, so bats are not able to return to the roost after emerging. The exclusion devices shall be installed under the direction of the bat biologist and shall be installed at night to increase the potential that bats have already left the roost and are less likely to return. Once it is confirmed by the bat biologist that all primary and secondary exit/entrance points have been covered and the exclusion devices are properly in place, a one-week exclusion period shall commence. A passive acoustic monitoring detector shall be deployed during the one-week exclusion period to monitor if bat activity has decreased during the exclusion period. Periodic monitoring (one or two evenings) by the bat biologist during the exclusion period should also be conducted to observe if any bats are still emerging from trees to be removed. On the final night of the exclusion period, an active monitoring survey should be conducted to ensure that no bats are emerging from trees to be removed and to confirm that exclusion has been successful. Continued presence of roosting bats in trees that are to be removed shall require an adjustment to the exclusion devices and schedule. The exclusion devices may remain in place until the start of tree removal. After the initial bat survey, if any additional bats are found roosting in any proposed tree removal</p>					

2. Mitigation Monitoring and Reporting Requirements

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Oversight	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
locations, additional exclusion shall be required and follow the same methodology described in this mitigation measure.						
BIO-3	Standard Mandatory Construction Conditions Mitigation Measures. <ol style="list-style-type: none"> 1. To the extent practicable, no clearing of coastal sage scrub (CSS) habitat that is occupied by nesting gnatcatchers shall occur during the breeding and nesting season (February 15 through July 15). It is expressly understood that this provision and the remaining provisions of these "construction minimization measures" are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control, and emergency facility repairs. In the event of such public health and safety circumstances, the applicant shall provide United States Fish and Wildlife Service (USFWS)/California Department of Fish and Wildlife (CDFW) with the maximum practicable notice (or such notice as is specified in the NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens, and any other CSS Identified Species that are not otherwise flushed and shall carry out the following measures only to the extent practicable in the context of the public health and safety considerations. 2. Prior to the commencement of clearing operations or other activities involving significant soil disturbance, all areas of CSS habitat to be avoided under the provisions of the NCCP/HCP, shall be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of clearing operations or other activities involving disturbance of CSS, a survey shall be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of 	Project Applicant's Monitoring Biologist & Construction Contractors	Prior and during construction activities	OCWR	City of Newport Beach Community Development Department	

2. Mitigation Monitoring and Reporting Requirements

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Oversight	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>any such species shall be clearly marked and identified on the construction/grading plans.</p> <p>3. A monitoring biologist, acceptable to the USFWS/CDFW shall be on site during any clearing of CSS. The applicant shall advise USFWS/CDFW at least 7 calendar days (and preferably 14 calendar days) prior to the clearing of any habitat occupied by identified species to allow USFWS/CDFW to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist shall flush identified species (avian or other mobile identified species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they shall be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve system. It shall be the responsibility of the monitoring biologist to ensure that identified bird species shall not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.</p> <p>4. Following the completion of initial clearing/earth movement activities, all areas of CSS habitat to be avoided by construction equipment and personnel shall be marked with temporary fencing or other appropriate markers clearly visible to construction personnel. No construction access, parking, or storage of equipment or materials shall be permitted within such marked areas.</p> <p>5. In areas bordering the NCCP Reserve System or Special Linkage/Special Management areas containing significant CSS identified in the NCCP/HCP for protection, vehicle transportation routes between cut-and-fill locations shall be restricted to a minimum number during consistent with project construction requirements. Waste dirt or rubble shall not be deposited on adjacent CSS identified in the NCCP/HCP for protection. Preconstruction meetings involving the monitoring biologist, construction supervisors,</p>					

2. Mitigation Monitoring and Reporting Requirements

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Oversight	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	and equipment operators shall be conducted and documented to ensure maximum practicable adherence to these measures. 6. CSS identified in the NCCP/HCP for protection and within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves, as recommended by the monitoring biologist.					
BIO-4	Education Program. An education program (Worker Environmental Awareness Program [WEAP]) for all persons employed or otherwise working in the project area shall be administered before performing impacts. The WEAP shall consist of a presentation from the designated biologist that includes a discussion of the biological resources and mitigation measures described in the California Environmental Quality Act (CEQA) document. Interpretation for non-English-speaking workers shall be provided, and the same instruction shall be provided to all new workers before they are authorized to perform work in the project area. After completion of the WEAP, employees shall sign a form stating they attended the program and understand all protection measures.	Project Applicant's Qualified Biologist & Construction Contractors	Prior to construction	OCWR	City of Newport Beach Community Development Department	
BIO-5	Hazardous Waste. The applicant shall immediately stop work and, pursuant to pertinent State and federal statutes and regulations, arrange for repair and cleanup by qualified individuals of any fuel or hazardous waste leaks or spills at the time of occurrence, or as soon as it is safe to do so.	Project Applicant's & Construction Contractors	During construction	OCWR	City of Newport Beach Community Development Department	
BIO-6	BMPs to Avoid Indirect Impacts to Special-Status Resources. To reduce any indirect impacts to special-status biological resources adjacent to construction and due to tree removals, best management practices (BMPs) shall be implemented to control dust pollution, prevent discharge of potentially harmful chemicals, and prevent changes in hydrology. BMPs shall include, but not be limited to,	Construction Contractors	During construction	OCWR	City of Newport Beach Community Development Department	

2. Mitigation Monitoring and Reporting Requirements

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Oversight	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
installing erosion and sedimentation control devices, applying water to control dust, placing drip pans under equipment when not in use, refueling in designated areas, and containing concrete washout properly, among other practices.						
3.5 Cultural Resources						
CUL-1	The project applicant shall retain an archaeological and paleontological resource monitor to monitor the project's subsurface areas during land disturbance from demolition and construction activities. If any archaeological or paleontological resources are discovered, the archaeological/paleontological monitor shall have the authority to stop work, assess the resources found, and implement a plan for the removal of the archaeological/paleontological resources if deemed significant.	Project Applicant's Archaeological and Paleontological Resource Monitor	During ground disturbance and construction activities.	OCWR	City of Newport Beach Community Development Department Enforcement; or the Director's Designee	
3.7 Geology and Soils						
BIO-6	Refer to Mitigation Measure BIO-6 above.					
3.9 Hazards and Hazardous Materials						
HAZ-1	A Fuel Modification Plan shall be prepared by the project applicant and submitted to Newport Beach Fire Department (NBFD) for review and approval in concurrence with project plan approval and prior to any site disturbances. The Fuel Modification Plan shall follow NBFD Guideline G.02, including: a. Site Assessment conducted prior to conducting fire behavior modeling and/or evaluations of potential wildfire hazard. b. Fire behavior evaluation that incorporates site-specific fuel, terrain, and weather inputs and may include modeling to support fuel modification zone specifications. c. Preparation of a Conceptual Fuel Modification Plan (CFMP) that provides the delineated zones, widths, planting requirements,	Project Applicant	Concurrent with project plan approval and prior to any site disturbances	OCWR	City of Newport Beach Community Development Department & Newport Beach Fire Department	

2. Mitigation Monitoring and Reporting Requirements

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Oversight	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>topographic information, existing vegetation/fuels locations, proposed structure locations, proposed fuel modification zone locations, proposed treatment prescriptions, site photographs, results from fire behavior modeling efforts, and other information required under NBFD's Guidelines. This CFMP will be submitted to NBFD for review and comment. Once accepted, the Precise Fuel Modification Plan (PFMP) can be created.</p> <p>d. The PFMP will follow NBFD's Guidelines and include:</p> <ul style="list-style-type: none"> i. Location and detail of permanent zone markers ii. Plant palette and spacing design in accordance with approved guidelines iii. Irrigation plans and specifications iv. Structure footprint or delineation of proposed development v. All applicable maintenance requirements and assignment of responsibility vi. Additional notes, as required by NBFD vii. Three sets of plans will be submitted for NBFD review <p>e. A Technical Report shall accompany the CFMP and provide fire risk assessment information, fire behavior modeling results, WindNinja wind pattern analysis, and technical analysis of any proposed alternative approaches.</p> <p>f. If necessary, an Alternative Materials & Methods (AM&M) report justifying any alternative approach or reduced fuel modification zone widths associated shall be required. The AM&M report examines the requirements, the deviation from the requirements, other mitigating site features (terrain, structure location, earthen berms, overall structural exposure, etc.) and provides additional measures, as necessary, to justify that the intent of the code requirements are being satisfied. AM&M reports provide scientific justifications that the proposed fuel modification shall provide equivalent function as the standard NBFD fuel modification area with the addition of proposed mitigation measures, per NBFD Guideline A-01.</p>					

2. Mitigation Monitoring and Reporting Requirements

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Oversight	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
3.10 Hydrology and Water Quality						
BIO-6	Refer to Mitigation Measure BIO-6 above.					
3.15 Public Services						
HAZ-1	Refer to Mitigation Measure HAZ-1 above.					
3.17 Transportation						
TRANS-1	Prior to the initiation of demolition activities at the project site, the applicant shall prepare a traffic control plan for demolition and construction. The traffic control plan shall include the staggering of truck trips throughout the day on Newport Coast Drive, so that the minimum practicable number of truck trips will occur during the AM peak period, to reduce impacts as much as possible to Sage Hill High School and both the State Route 73 on and off-ramps at Newport Coast Drive. The traffic control plan shall also include measures that address safety hazards to bicyclists and pedestrians.	Project Applicant & Construction Contractor	Prior to construction activities	OCWR	City of Newport Beach Community Development Department	
TRANS-2	All demolition and construction vehicle drivers shall be informed that turning right on the red light at the traffic signal at the intersection of the project site access road and Newport Coast Drive shall be prohibited for the duration of demolition and construction activities. A sign shall be posted at the entrance to the intersection to remind drivers that they are prohibited from making a right-turn at the red light onto Newport Coast Drive.	Construction Contractor	During construction activities	OCWR	City of Newport Beach Community Development Department	
TRANS-3	For the duration of the demolition and construction activities, electronic signage shall be placed near Sage Hill High School to inform drivers regarding the duration of the demolition and construction activities and to indicate that large trucks may be present for the duration of construction and demolition activities.	Construction Contractor	During construction activities	OCWR	City of Newport Beach Community Development Department	

2. Mitigation Monitoring and Reporting Requirements

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Oversight	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
TRANS-4	Construction spotters with walkie-talkies shall be assigned on both ends of the project site access road to guide trucks during project demolition and construction activities. Trucks shall only be able to travel in one direction on the one lane paved access road at a time. Trucks that are waiting to go up the access road shall wait across the street on the main canyon landfill property until the spotter informs them that it is safe to proceed up the access road to the project site.	Construction Contractor	During construction activities	OCWR	City of Newport Beach Community Development Department	
3.17 Tribal Cultural Resources						
TCR-1	<p>Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities: The project applicant shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations. “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.</p> <p>A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.</p> <p>The monitor shall complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs shall identify and describe any discovered tribal cultural resources (TCR), including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the project applicant/lead agency upon written request to the Tribe.</p>	Kizh Nation Monitor, Project Applicant, City of Newport Beach Community Development Department, & Construction Contractors	Prior to the commencement of any ground-disturbing activity and then during these activities	OCWR	City of Newport Beach Community Development Department	

2. Mitigation Monitoring and Reporting Requirements

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Oversight	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant and lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.					
TCR-2	Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial): Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh shall recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.	Kizh Nation Monitor and/or Kizh Archaeologist & Construction Contractors	During construction activities	OCWR	City of Newport Beach Community Development Department	
TCR-3	Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects: Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any	Kizh Nation Monitor and/or Kizh Archaeologist, Project Applicant & Construction Contractors	During construction activities	OCWR	City of Newport Beach Community Development Department	

2. Mitigation Monitoring and Reporting Requirements

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Oversight	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.						
3.20 Wildfire						
HAZ-1	Refer to Mitigation Measure HAZ-1 above.					