

# MITIGATION MONITORING AND REPORTING PROGRAM

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## **FREEWAY BILLBOARD OVERLAY ZONE MUNICIPAL CODE AMENDMENT** (AN AMENDMENT TO PORTIONS OF TITLE 17 [ZONING] OF THE EL MONTE MUNICIPAL CODE TO ALLOW FOR THE EXPANSION OF THE FREEWAY BILLBOARD OVERLAY ZONE)



**LEAD AGENCY:**

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## **1. OVERVIEW OF THE PROJECT**

The proposed project is an amendment to portions of Title 17 (Zoning) of the El Monte Municipal Code to allow for the expansion of the Freeway Billboard Overlay Zone. The proposed expansion of the Freeway Billboard Overlay Zone involves the addition of three new areas (referred to as Areas 8 through 10) to the Freeway Billboard Overlay Zone, which currently includes seven locations located along portions of the I-10 Freeway Corridor within the City of El Monte. The Municipal Code will also be amended to allow the installation of billboards within 250 feet of residential zones at the discretion of the Community and Economic Development Director (the installation of billboards is currently not permitted within 250 feet of residential zones). The proposed project also involves a zone change and a general plan amendment at Area 8. A portion of Area 8 is zoned as *R-3 (Medium-Density Multiple-Family Dwelling)* and this zoning designation is proposed to be changed to *C-3 (General Commercial)*. The same portion of Areas 8 has a general plan land use designation of *Medium Density Residential* and this general plan land use designation is proposed to be changed to *General Commercial*.

## **2. FINDINGS OF THE ENVIRONMENTAL ASSESSMENT**

The attached Initial Study prepared for the proposed project indicated that the proposed project will not result in significant environmental impacts upon implementation of the required mitigation measures. The following Mandatory Findings of Significance can be made as set forth in Section 15065 of the CEQA Guidelines, as amended, based on the results of this environmental assessment:

- 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.

## **3. FINDINGS RELATED TO MITIGATION MONITORING**

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 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; and,
- An accountable enforcement agency or monitoring agency shall be identified for the mitigations adopted as part of the decision-maker's final determination.

#### **4. MITIGATION MEASURES**

In the absence of mitigation, the potential damage to paleontological resources or sites during billboard installation would be a potentially significant impact. Therefore, the following mitigation is required:

*Mitigation Measure No. 1 (Geology & Soils).* Prior to commencement of any grading activity on site, the Applicant shall retain a qualified paleontologist, subject to the review and approval of the City's Community and Economic Development Director, or designee. The qualified paleontologist shall be on-site during grading and other significant ground disturbance activities that impact Pleistocene alluvial deposits, which could occur at depths below six feet. The monitoring shall apply to the areas of the site where excavation shall extend at depths of six feet or more.

The environmental analysis determined that various contaminated sites, as listed by the California Environmental Protection Agency and the United States Environmental Protection Agency, are located within the proposed Freeway Billboard Overlay Zone. In order to ensure that ongoing remediation of contaminated sites continues and that the contamination is not disturbed and further spread, the following mitigation measure is required:

*Mitigation Measure No. 2 (Hazards & Hazardous Materials).* Billboards must not be installed over sites that are identified as contaminated under any hazardous site database that is maintained by the California Environmental Protection Agency or the United States Environmental Protection Agency.

Although Areas 8 through 10 have been subject to disturbance to accommodate the surrounding buildings, Areas 8 through 10 are situated in an area of high archaeological significance. As a result, the following mitigation is required:

*Mitigation Measure No. 3 (Tribal Cultural Resources).* The project Applicant will be required to obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined by the Tribal Representatives from the Gabrieleño Band of Mission Indians, Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, and trenching, within the installation sites. 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.

## 5. 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.

<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. 1 (Geology &amp; Soils).</b> Prior to commencement of any grading activity on site, the Applicant shall retain a qualified paleontologist, subject to the review and approval of the City’s Community and Economic Development Director, or designee. The qualified paleontologist shall be on-site during grading and other significant ground disturbance activities that impact Pleistocene alluvial deposits, which could occur at depths below six feet. The monitoring shall apply to the areas of the site where excavation shall extend at depths of six feet or more.</p>	<p>Community and Economic Development Director, City Engineer and the Chief Building Official</p> <p style="text-align: center;">•</p> <p style="text-align: center;"><i>(The City is responsible for implementation)</i></p>	<p><i>Prior to the start of any construction-related activities.</i></p> <p style="text-align: center;">•</p> <p>Mitigation ends when ground disturbance is completed or otherwise noted by the appointed paleontologist.</p>	<p>Date:</p> <p>Name &amp; Title:</p>
<p><b>Mitigation Measure No. 2 (Hazards &amp; Hazardous Materials).</b> Billboards must not be installed over sites that are identified as contaminated under any hazardous site database that is maintained by the California Environmental Protection Agency or the United States Environmental Protection Agency.</p>	<p>Community and Economic Development Director, City Engineer</p> <p style="text-align: center;">•</p> <p style="text-align: center;"><i>(The City is responsible for implementation)</i></p>	<p><i>Prior to the start of any construction-related activities.</i></p> <p style="text-align: center;">•</p> <p>Mitigation ends when construction is complete.</p>	<p>Date:</p> <p>Name &amp; Title:</p>
<p><b>Mitigation Measure No. 3 (Tribal Cultural Resources).</b> The project Applicant will be required to obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined by the Tribal Representatives from the Gabrieleño Band of Mission Indians, Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, and trenching, within the installation sites. 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.</p>	<p>Community and Economic Development Director</p> <p style="text-align: center;">•</p> <p style="text-align: center;"><i>(The City is responsible for implementation)</i></p>	<p><i>Prior to the start of any construction-related activities.</i></p> <p style="text-align: center;">•</p> <p>Mitigation ends when ground disturbance is completed or otherwise noted by the appointed Native American Monitor(s).</p>	<p>Date:</p> <p>Name &amp; Title:</p>

