

# **Mitigation Monitoring and Reporting Program**

**BOYLE HEIGHTS SPORTS CENTER GYMNASIUM PROJECT  
(Initial Study/Mitigated Negative Declaration)  
(SCH #2019069007)**

Prepared by the

**CITY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF ENGINEERING**

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# Table of Contents

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	<b>Page</b>
1.0 Introduction .....	1
2.0 Purpose .....	1
3.0 Monitoring and Reporting Procedures .....	2
4.0 Changes to Mitigation Measures.....	2
5.0 Mitigation Monitoring and Reporting Program Summary Table .....	3

## Table

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	<b>Page</b>
1 Mitigation Monitoring and Reporting Program Summary Table .....	4

# Mitigation Monitoring and Reporting Program

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## 1.0 Introduction

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. It provides for the implementation and monitoring of required mitigation measures and best management practices (BMPs) of the Los Angeles Bureau of Engineering (LABOE) as the lead agency for the Boyle Heights Sports Center Gymnasium Project (proposed Project). The City of Los Angeles Department of Recreation and Parks (RAP) will be the owner and operator of the proposed Project.

Section 21081.6 of the California Public Resources Code and Sections 15091(d) and 15097 of the State CEQA Guidelines require public agencies “to adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.” An MMRP is required for the proposed Project because the IS/MND identified potentially significant impacts and identified mitigation measures to reduce some of those impacts to less than significant. This MMRP is intended to ensure that adopted mitigation measures are successfully implemented and a monitoring strategy has been prepared for each mitigation measure identified in the IS/MND. All measures are intended to offset, to the degree possible, potential significant adverse effects under CEQA.

This MMRP will be considered for adoption by the Board of Recreation and Park Commissioners when it considers approving the Project. If adopted, the MMRP requirements will be incorporated into the appropriate permits and Project specifications (e.g., engineering specifications, engineering construction permits, and real estate entitlements). The MMRP will be kept on file at the City of Los Angeles, Department of Public Works, Bureau of Engineering, 1149 S. Broadway, Suite 600, Los Angeles, CA 90015.

## 2.0 Purpose

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner throughout implementation of the proposed Project. BMPs are pollution prevention strategies that are suggested, are assumed to occur, and are included in the MMRP for tracking purposes. The MMRP may be modified by LABOE in response to changing conditions or circumstances. A summary table (Table 1) has been prepared to assist the responsible parties in implementing the MMRP. The table identifies individual mitigation measures for each resource category for which mitigation measure are proposed in the IS/MND. For each measure, the table describes the methods for implementation and verification, and identifies the responsible party or parties. Impacts for which mitigation measures are proposed are listed under the various resource categories in the IS/MND. The order in which mitigation measures are presented (by resource category) follows the sequence established in the IS/MND.

### 3.0 Monitoring and Reporting Procedures

All applicable construction-related mitigation measures and BMPs will be included in any bid specification released for construction of the proposed Project. Prior to the release of the bid specifications, construction plans and specifications will be provided to LABOE's Environmental Management Group (EMG) for review and approval regarding environmental mitigation and coastal development permit requirements. Unless otherwise specified herein, LABOE and RAP will be responsible for taking all actions necessary to implement the mitigation measures according to the provided specifications and for demonstrating that each action has been successfully completed. LABOE, at its discretion, may delegate implementation responsibility or portions thereof to a licensed contractor.

This MMRP for the proposed Project will be in place through design, construction, and operation. LABOE and RAP will both be responsible for administering the MMRP and ensuring that all parties comply with its provisions. LABOE may delegate monitoring responsibilities to staff, consultants, or contractors. The construction contractor will submit an Environmental Compliance Plan for LABOE Construction Management and LABOE EMG approval prior to the beginning of ground-disturbing construction activities. The Environmental Compliance Plan will document how the contractor intends to comply with all environmental measures applicable to the contract, including application of BMPs. LABOE Construction Management will also ensure that monitoring is documented in an Environmental Compliance Report and that deficiencies are promptly corrected. A designated environmental monitor with LABOE Construction Management will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to rectify problems. LABOE will monitor compliance with operational mitigation measures.

### 4.0 Changes to Mitigation Measures

Under CEQA, mitigation measures may be modified or deleted if the relevant decision-maker approves such action, gives a legitimate reason for making the change, and supports those reasons with substantial evidence, including an appropriate subsequent CEQA document. Any substantive change to the MMRP will be documented in writing. Modifications to the mitigation measures/BMPs may be made by the LABOE subject to one of the following findings and documented by evidence included in the record:

1. The measure/BMP included in the IS/MND and the MMRP is no longer required because the significant environmental impact identified in the IS/MND has been found not to exist, or to occur at a level which makes the impact less than significant as a result of changes in the proposed Project, changes in conditions of the environment, or other factors.

OR

2. The modified or substitute mitigation measure/BMP to be included in the MMRP provides a level of environmental protection equal to or greater than that afforded by the mitigation measure included in the IS/MND and the MMRP.

AND

3. The modified or substitute mitigation measure/BMP does not have significant adverse effect on the environment in addition to or greater than those which were considered by LABOE in its decisions regarding the IS/MND and the proposed Project.

AND

4. The modified or substitute mitigation measure/BMP is feasible, and LABOE, through measures included in the MMRP or other established procedures, can ensure its implementation.

Findings and related documentation supporting the findings involving modifications to mitigation measures will be maintained in the Project file with the MMRP and will be made available to the public upon request.

## **5.0 Mitigation Monitoring and Reporting Program Summary Table**

The MMRP summary table that follows will guide LABOE in evaluating and documenting implementation of mitigation measures. The MMRP summary table lists each mitigation measure by discipline as identified in the IS/MND; states the timeframe or milestone at which the mitigation measure will be implemented and verified; and identifies the entity (organization) responsible for the implementation, monitoring, and reporting of the MMRP. LABOE staff or their contractors would provide verification as each measure in the MMRP is implemented.

**Table 1. Mitigation Monitoring and Reporting Program Summary Table**

Mitigation Measures	Timing and Methods	Responsible Parties	Verification of Compliance	
			Initial	Date
<b>Biological Resources</b>				
<p><b>MM-BIO-1:</b> If construction commences during the bird breeding season (approximately February 1–August 31), a preconstruction survey for nesting birds will occur within 3 days prior to construction activities by an experienced avian biologist. The survey will occur within all suitable nesting habitat within the project impact area and a 100-foot buffer. If nesting birds are found, an avoidance area will be established as appropriate by a qualified biologist around the nest until a qualified avian biologist has determined that young have fledged or nesting activities have ceased. The project site will be resurveyed if there is a lapse in construction activities for more than 7 days during the bird breeding season.</p>	<p><b>Timing/Schedule:</b> During Project design and pre-construction</p> <p><b>Methods/Status/Verification:</b> Mitigation measures will be included in contractor bid documents. If construction commences during the bird breeding season (February 1 through August 31), a preconstruction survey for nesting birds will occur within 3 days prior to construction activities by an experienced avian biologist.</p>	<p><b>Implementation:</b> LABOE Project engineer will include requirement in contract specs and plans; avian biologist to conduct pre-construction survey, if applicable.</p> <p><b>Enforcement:</b> LABOE Project manager</p> <p><b>Monitoring and Reporting:</b> LABOE EMG will review specs and plans for compliance.</p>		
<p><b>MM-BIO-2:</b> If construction results in the removal of street trees planted in the City of Los Angeles’ public right-of-way, a tree removal permit from the City of Los Angeles Department of Public Works Bureau of Street Services, Urban Forestry Division will be obtained, requiring the replacement of street trees on a 2:1 basis with the guidance of an appropriate investigator. In addition, any removed park trees will be replaced according to RAP’s requirements and in agreement with the RAP’s arborist.</p>	<p><b>Design Phase:</b> <b>Timing/Schedule:</b> During Project design, pre-construction, and post-construction</p> <p><b>Methods/Status/Verification:</b> Apply for a tree removal permit prior to construction. Replace and/or relocate protected trees (as needed) within 1 year of removal.</p>	<p><b>Implementation:</b> LABOE Project engineer will include requirement in contract specs and plans to replace protected trees.</p> <p><b>Enforcement:</b> LABOE Project manager</p> <p><b>Monitoring and Reporting:</b> LABOE EMG will review specs and plans for compliance.</p>		

Mitigation Measures	Timing and Methods	Responsible Parties	Verification of Compliance	
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<b>Archaeological Resources</b>				
<p><b>MM-ARCH-1:</b> In the event of an unanticipated archaeological discovery, all work will be suspended within 50 feet of the find until a qualified archaeologist can evaluate it. In the unlikely event that human remains are encountered during project development, State of California Health and Safety Code Section 7050.5 stipulates that no further disturbance will occur until the County Coroner has made a determination regarding the origin of the remains and the nature of their deposition pursuant to Public Resources Code Section 5097.98</p>	<p><b>Timing/Schedule:</b> During Project construction</p> <p><b>Methods/Status/Verification:</b> City/Contractor to contact Project archaeologists during construction activities if artifacts or remains are identified; a Native American monitor will be consulted and resources avoided. LABOE Project manager to verify compliance by contractor during Project construction. Considered complete after end of Project construction.</p>	<p><b>Implementation:</b> LABOE Project engineer shall implement mitigation measure; Project archaeologist.</p> <p><b>Enforcement:</b> LABOE construction manager and Project archaeologist</p> <p><b>Monitoring and Reporting:</b> LABOE EMG will review the Environmental Compliance Plan, Environmental Compliance Report, and Project Acceptance and Closeout Report prepared by contractor. Project archaeologist and a Native American will monitor site, as needed.</p>		
<b>Paleontological Resources</b>				
<p><b>MM-PALEO-1:</b> If unanticipated fossils are unearthed during construction, work will be halted in that area until a qualified paleontologist can assess the significance of the find. Work may resume immediately a minimum of 50 feet away from the find.</p>	<p><b>Timing/Schedule:</b> During Project construction</p> <p><b>Methods/Status/Verification:</b> City/Contractor to contact qualified paleontologist during construction activities if fossils are identified. Prepare, identify, and catalogue significant fossils recovered for curation. Fossils and other data associated with the recovery will be provided to an accredited repository for curation. LABOE Project manager to verify compliance by contractor during Project</p>	<p><b>Implementation:</b> LABOE Project engineer will implement mitigation measure; qualified paleontologist</p> <p><b>Enforcement:</b> LABOE construction manager and qualified paleontologist</p> <p><b>Monitoring and Reporting:</b> LABOE EMG will review the Environmental Compliance Plan, Environmental Compliance Report, and</p>		

Mitigation Measures	Timing and Methods	Responsible Parties	Verification of Compliance	
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	construction. Considered complete after end of Project construction.	Project Acceptance and Closeout Report prepared by contractor. Qualified paleontologist will monitor site, as needed.		
<b>Geology and Soils</b>				
<b>MM-GEO-1:</b> The proposed Project grading and foundation plans and specifications will implement the recommendations presented in the <i>Geotechnical Investigation Report</i> prepared for LABOE. The proposed Project plans and specifications will be reviewed by the Geotechnical Engineering Group to ensure proper implementation and application of the recommendations.	<b>Timing/Schedule:</b> During Project design <b>Methods/Status/Verification:</b> Mitigation measures will be included in contractor bid documents. Project engineer/designer will ensure that the recommendations of the <i>Geotechnical Investigation Report, Proposed Boyle Heights Sports Center Project</i> , October 2017 are implemented during final Project design.	<b>Implementation:</b> LABOE Project engineer will include requirement in contract specs and plans. <b>Enforcement:</b> LABOE Project manager <b>Monitoring &amp; Reporting:</b> LABOE EMG will review specs and plans for compliance.		
<b>Hazardous Materials</b>				
<b>MM-HAZ-1:</b> Prior to demolition activities that would disturb identified ACMs, a licensed abatement removal contractor will remove these building materials. Asbestos-containing construction materials may stay in place during demolition, if the contractor is certified to perform asbestos abatement. Removal of ACMs will be done in compliance with the South Coast Air Quality Management District's Rule 1403, as well as all other state and federal rules and regulations.	<b>Timing/Schedule:</b> Prior to building demolition <b>Methods/Status/Verification:</b> The approved contractor will provide proof of appropriate licenses and certifications. The contractor will remove ACMs in compliance with state and federal rules and regulations.	<b>Implementation:</b> LABOE Project engineer will include requirement in contract specs and plans. <b>Enforcement:</b> LABOE Project manager <b>Monitoring &amp; Reporting:</b> LABOE EMG will review specs and plans for compliance.		

Mitigation Measures	Timing and Methods	Responsible Parties	Verification of Compliance	
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<p><b>MM-HAZ-2:</b> Prior to demolition activities, a composite sample of the lead-containing material will be analyzed by a licensed abatement contractor with certified lead personnel for total lead for comparison with the Total Threshold Limit Concentration in accordance with the USEPA reference method SW-846. Based on that analysis, the contractor will dispose of the lead-containing waste material in accordance with all applicable local, state, and federal regulations.</p>	<p><b>Timing/Schedule:</b> Prior to building demolition</p> <p><b>Methods/Status/Verification:</b> The approved contractor will provide proof of appropriate licenses and certifications. The contractor will remove ACMs in compliance with state and federal rules and regulations.</p>	<p><b>Implementation:</b> LABOE Project engineer will include requirement in contract specs and plans.</p> <p><b>Enforcement:</b> LABOE Project manager</p> <p><b>Monitoring &amp; Reporting:</b> LABOE EMG will review specs and plans for compliance.</p>		
<p><b>MM-NOI-1:</b> The following methods will be included as part of the project to ensure compliance with the City’s noise standards and CEQA thresholds for construction. The construction contractor will conduct all activities in compliance with the applicable restrictions contained in the <i>L.A. CEQA Thresholds Guide</i>, including limiting construction noise levels to be less than 5 dBA over the existing ambient exterior noise levels at noise-sensitive land uses. The construction contractor will also comply with the City of Los Angeles Municipal Code, including limiting maximum noise levels at adjacent homes to 75 dBA or less.</p>	<p><b>Timing/Schedule:</b> During Project design; During Project construction</p> <p><b>Methods/Status/Verification:</b> Mitigation measures will be included in contractor bid documents. LABOE Project manager to verify development of a Noise Control Plan. LABOE/Contractor will verify compliance of identified measures daily (e.g., adherence to construction hours, construction worker use of shuttle, notification of residents of construction operations, maintenance of a call log by Department of Public Works [Public Affairs], use of electric equipment [where and when feasible]). Considered complete after end of Project construction.</p>	<p><b>Implementation:</b> LABOE Project engineer will include requirement in contract specs and plans; noise consultant.</p> <p><b>Enforcement:</b> LABOE Project manager; LABOE construction manager and Bureau of Contract Administration.</p> <p><b>Monitoring and Reporting:</b> City/contractor and Department of Public Works (Public Affairs); Noise consultant and Department of Public Works; EMG will review specs, Noise Control Plan, Environmental Compliance Plan, Environmental Compliance Report, and Project Acceptance and Closeout Report prepared by contractor.</p>		

Mitigation Measures	Timing and Methods	Responsible Parties	Verification of Compliance	
			Initial	Date
<p><b>MM-NOI-2:</b> Compliance with the City of Los Angeles Municipal Code will be achieved using methods that may include, but are not limited to the following:</p> <ol style="list-style-type: none"> <li>a. Construction activity (including deliveries, equipment maintenance, or operation of any construction equipment) will be prohibited at the project site before 7 a.m. or after 9 p.m. Monday through Friday, before 8:00 a.m. or after 6:00 p.m. on any Saturday or national holiday, or at any time on Sunday.</li> <li>b. Temporary construction noise barriers will be installed as described below:               <ol style="list-style-type: none"> <li>i. A barrier with a minimum height of 15 feet above ground level will be installed along the eastern property line of the project site during all phases of construction. The barrier will wrap around the southern corner of the project site and extend an additional 100 feet to the east. The location of this barrier is identified in Figure 7.</li> <li>ii. A barrier with a minimum height of 12 feet above ground level will be installed along the northern and western property lines and a portion of the southern property line of the project site. This barrier will connect with the 15-foot barrier described above. The location of this barrier is identified in Figure 7.</li> <li>iii. The barriers will be constructed from acoustical blankets hung over or from a supporting frame. The blankets will provide a minimum sound transmission class rating of 28 and a minimum noise reduction coefficient of 0.80. They will be firmly secured to the framework, with the sound-absorptive side of the blankets oriented toward the</li> </ol> </li> </ol>	<p><b>Timing/Schedule:</b> During Project design; During Project construction</p> <p><b>Methods/Status/Verification:</b> Mitigation measures will be included in contractor bid documents. LABOE Project manager to verify development of a Noise Control Plan. LABOE/Contractor will verify compliance of identified measures daily (e.g., adherence to construction hours, construction worker use of shuttle, notification of residents of construction operations, maintenance of a call log by Department of Public Works [Public Affairs], use of electric equipment [where and when feasible]). Considered complete after end of Project construction.</p> <p>LABOE/Contractor will verify compliance of identified measures daily (e.g., adherence to construction hours, notification of residents of construction operations, maintenance of a call log by Department of Public Works [Public Affairs], use of electric equipment [where and when feasible]). Considered complete after end of Project construction.</p>	<p><b>Implementation:</b> LABOE Project engineer will include requirement in contract specs and plans; noise consultant.</p> <p><b>Enforcement:</b> LABOE Project manager; LABOE construction manager and Bureau of Contract Administration.</p> <p><b>Monitoring and Reporting:</b> City/contractor and Department of Public Works (Public Affairs); Noise consultant and Department of Public Works; EMG will review specs, Noise Control Plan, Environmental Compliance Plan, Environmental Compliance Report, and Project Acceptance and Closeout Report prepared by contractor.</p>		

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<p>construction equipment. The blankets will be overlapped by at least 4 inches at seams and taped and/or closed with hook-and-loop fasteners (e.g., Velcro®) so that no gaps exist. The largest blankets available should be used to minimize the number of seams. The blankets will be draped to the ground to eliminate any gaps at the base of the barrier.</p> <ul style="list-style-type: none"> <li>c. Low-noise-generating construction equipment will be used.</li> <li>d. All construction equipment, including mufflers and ancillary noise abatement equipment, will be maintained.</li> <li>e. All mobile and stationary noise-producing construction equipment used on the project site that is regulated for noise output by a local, state, or federal agency will comply with such regulation while in the course of project activity.</li> <li>f. High noise-producing activities will be scheduled during periods that are least sensitive.</li> <li>g. Construction equipment will be switched off when not in use.</li> <li>h. Stationary construction equipment, such as generators and compressors, will be positioned as far away as practical from noise-sensitive receptors.</li> <li>i. Noise-producing signals—including horns, whistles, alarms, and bells—will be used for safety warning purposes only.</li> <li>j. Construction-related truck traffic will be routed away from noise-sensitive areas.</li> <li>k. Construction vehicle speeds will be reduced.</li> </ul>				