

Taylor Yard Bikeway/Pedestrian Bridge Over the Los Angeles River Project Mitigation Monitoring and Reporting Program

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Prepared By:

ICF
601 W. Fifth Street, Suite 900
Los Angeles, CA 90071

for the

City of Los Angeles Department of Public Works
Bureau of Engineering
Environmental Management Group
1149 S. Broadway, Suite 600
Los Angeles, CA 90015

Mitigation Monitoring and Reporting Program

Section 21081.6 of CEQA requires a public agency to adopt a reporting or monitoring program for assessing and ensuring efficacy of any mitigation measures applied to a proposed project. Specifically, the lead or responsible agency must adopt a reporting or monitoring program for mitigation measures incorporated into a project or imposed as conditions of approval. The program must be designed to ensure compliance during project implementation. As stated in Public Resources Code Section 21081.6 (a) (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 agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

CEQA Section 15097 provides general guidelines for implementing mitigation monitoring and reporting programs (MMRPs). Specific reporting and/or monitoring requirements, which are to be enforced during project implementation, shall be defined prior to final approval of the proposal by the responsible decision maker(s). In response to established CEQA requirements and those of Public Resources Code Section 21000 et seq., the proposed MMRP for the Taylor Yard Bikeway/Pedestrian Bridge Project shall be submitted for adoption by the decision makers prior to completion of the environmental review process. Under each identified resource, the mitigation measure(s) identified in the Draft Initial Study/MND and the implementation and monitoring requirements are discussed. The implementation and monitoring requirements set forth in this MMRP include:

- Party Responsible for Implementation of Mitigation;
- Implementation Phase;
- Party Responsible for Monitoring Activity;
- Monitoring Activity;
- Monitoring Period/Frequency; and
- Outside Agency Coordination.

Mitigation is required to address significant or potentially significant impact(s) in the following issue areas:

- Biological Resources
- Archaeological Resources
- Paleontological Resources
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise

Table 1 presents the MMRP for the proposed project.

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Implementation Phase	Monitoring Party	Monitoring Activity	Monitoring Period/ Frequency	Outside Agency Coordination
Biological Resources						
BIO-1: Construction limits will be clearly demarcated using highly visible barriers (such as silt fencing, signs, or other materials), which will be installed under the supervision of a qualified biologist, or construction inspector, prior to the commencement of work. Construction personnel will strictly limit their activities, vehicles, equipment, and construction materials to the project footprint, including designated staging areas, and routes of travel. The construction areas will consist of the minimal area necessary to complete the proposed project. The fencing and demarcations will remain in place until the completion of all construction activities. No demarcating materials will be placed in a manner which will obstruct wildlife movement through the LA River and the materials will not be made from materials which may cause harm or habitat avoidance to wildlife (e.g. barbed wire, razor wire).	Bureau of Engineering Contractor	Preconstruction Construction	Bureau of Engineering	Verification that barricades are installed and work occurs within identified areas	Ongoing	N/A
BIO-2: A qualified biological monitor will conduct construction monitoring during all vegetation removal, work within the Los Angeles River and ground-disturbing activities, such as staging and grading, for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat outside the project footprint and to survey for sensitive wildlife species. When vegetation removal and ground-disturbing activities are not occurring, as-needed monitoring at the project site will occur. Monitoring logs, as appropriate depending on project activities, will be maintained for the duration of the construction activity.	Bureau of Engineering Contractor Biological Monitor	Construction	Bureau of Engineering	Construction monitoring by a qualified biologist	Continuous during vegetation removal and ground-disturbing activities; as needed during other phases	N/A

Mitigation Measure	Responsible Party	Implementation Phase	Monitoring Party	Monitoring Activity	Monitoring Period/Frequency	Outside Agency Coordination
BIO-3: All equipment maintenance, staging, and dispensing of fuel, oil, or any other such activities will occur in developed or designated non-sensitive upland habitat areas. The designated upland areas will be located to prevent runoff from any spills from entering waters of the U.S.	Bureau of Engineering Contractor	Construction	Bureau of Engineering	Inspection of staging areas	Ongoing	N/A
BIO-4: A construction Storm Water Pollution Prevention Plan (SWPPP) and a soil erosion and sedimentation plan will be developed to minimize erosion and identify specific pollution prevention measures that will eliminate or control potential point and nonpoint pollution sources on-site during and following the project construction phase. The SWPPP will identify specific best management practices (BMPs) to be implemented during project construction to causing or contributing to any water quality standard exceedances. In addition, the SWPPP will contain provisions for changes to the plan such as alternative mechanisms, if necessary, during project design and/or construction to achieve the stated goals and performance standards.	Bureau of Engineering Contractor	Preconstruction Construction	Bureau of Engineering	Verification of BMP implementation and efficacy	Ongoing	N/A
BIO-5: Trash will be stored in closed containers so that it is not readily accessible to scavengers and will be removed from the construction site on a daily basis	Bureau of Engineering Contractor	Construction	Bureau of Engineering	Verification of use of closed containers and daily removal of trash	As needed	N/A

Mitigation Measure	Responsible Party	Implementation Phase	Monitoring Party	Monitoring Activity	Monitoring Period/ Frequency	Outside Agency Coordination
BIO-6: Water quality shall be visually monitored by the biological monitor to ensure that no substantial increases in turbidity occur during construction.	Bureau of Engineering Contractor Biological Monitor	Construction	Bureau of Engineering	Visual monitoring of water quality by biological monitor	Ongoing	N/A
BIO-7: All –necessary natural resource permits and authorizations will be obtained from appropriate agencies (i.e., USACE, RWQCB, CDFW) prior to the initiation of construction activities. Permit conditions contained within the permits and authorizations will be employed throughout the duration of the project.	Bureau of Engineering	Preconstruction Construction	Bureau of Engineering	Acquisition of all - necessary permits prior to construction and compliance with permit conditions during construction	Once prior to construction and ongoing during construction	USACE, RWQCB, CDFW
BIO-8: Hydrologic connectivity will be maintained within drainages during the duration of construction. Brush, debris material, mud, silt, or other pollutants from construction activities will not be placed within drainages and will not be allowed to enter a flowing stream.	Bureau of Engineering Contractor	Construction	Bureau of Engineering	Verification of maintenance of hydrologic connectivity and prevention of contamination from pollutants	Ongoing	N/A
BIO-9: Dust control measures will be implemented by the contractor to reduce excessive dust emissions. Dust control measures will be carried out at least two times per day on all construction days, or more during windy or dry periods, and may include wetting work areas, the use of soil binders on dirt roads, and wetting or covering stockpiles.	Bureau of Engineering Contractor	Construction	Bureau of Engineering	Verification of incorporation of dust control measures	Ongoing	N/A
BIO-10: No pets will be allowed in, or adjacent to, the project site.	Bureau of Engineering Contractor	Construction	Bureau of Engineering	Verification of prevention of pets from entering project site	Ongoing	N/A
BIO-11: Rodenticides, herbicides, insecticides, or other chemicals that could potentially harm wildlife or native plants will not be used near or within the Los Angeles River.	Bureau of Engineering Contractor	Construction	Bureau of Engineering	Verification that harmful chemicals are not used	Ongoing	N/A

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BIO-12: Construction equipment will be cleaned of mud or other debris that may contain invasive plants and/or seeds and inspected to reduce the potential of spreading noxious weeds before mobilizing to the site and before leaving the site during the course of construction. The cleaning of equipment will occur at least 300 feet from environmentally sensitive area fencing.	Bureau of Engineering Contractor	Construction	Bureau of Engineering	Verification that the cleaning of construction equipment before - mobilization and before leaving	Ongoing	N/A
BIO-13: All permanent impacts on wetland waters shall be mitigated at a minimum 1:1 ratio through purchase of off-site mitigation credits through an agency approved mechanism.	Bureau of Engineering	Preconstruction	Bureau of Engineering	Verification of purchase of off-site mitigation credits	Once prior to construction	CDFW
BIO-14: A qualified biologist will conduct a focused plant survey for sensitive plant species with a potential to occur within the Proposed Project footprint.	Bureau of Engineering Contractor Biological Monitor	Preconstruction	Bureau of Engineering	Field inspection	Once before construction	N/A
BIO-15: If sensitive plant species are observed within the Proposed Project footprint during the surveys, plants will be flagged and avoided to the greatest extent possible.	Bureau of Engineering Contractor Biological Monitor	Preconstruction	Bureau of Engineering	Verification that sensitive plants are avoided	Ongoing	N/A

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<p>BIO-16: If sensitive plant species are observed within the Proposed Project footprint and impacts cannot be avoided, one of the following measures will be implemented at the discretion of the biologist:</p> <ul style="list-style-type: none"> • Healthy sensitive plant species suited for salvage and transplanting and young perennial woody shrubs will be salvaged and transplanted into suitable habitat outside the Proposed Project footprint. • Seeds from sensitive annual plant species or other individuals that cannot be salvaged will be collected and dispersed into the Proposed Project footprint after construction and when no further ground disturbance is expected. • If transplanting and seed collection are not possible, the contractor will salvage the top 4 inches of soil (topsoil), from vegetated areas within the disturbance area. The topsoil will be replaced or spread within adjacent habitat once construction is complete in that area. 	<p>Bureau of Engineering Contractor Biological Monitor</p>	<p>Preconstruction Construction Post-construction</p>	<p>Bureau of Engineering</p>	<p>Verification of implementation of specified measures</p>	<p>Ongoing</p>	<p>N/A</p>

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<p>BIO-17: Tree removal may cause direct injury or mortality to roosting bats. Many trees provide roosting habitat for foliage-dwelling bat species or contain cavities, crevices, snags, and exfoliating bark which provide roosting for crevice dwelling species. As such, the following measures shall be implemented to avoid significant impacts on bat species:</p> <ol style="list-style-type: none"> 1. A pre-construction survey for potential bat habitat shall be conducted prior to spring and before construction. Trees containing suitable bat habitat, as determined by a qualified bat expert, shall not be removed during the maternity season (April 15– August 31). Instead trees should be removed between September 1 and April 14 during times when evening/nighttime and daytime temperatures are above 45 degrees Fahrenheit. 2. If tree removal does occur, tree removal shall be conducted in a two-step process conducted over consecutive days and under the complete supervision and direction of a qualified bat biologist. In this two-step method, on Day 1, small branches and small limbs of the trees are removed which do not contain any potential bat habitat features such as cavities, snags, exfoliating bark. On the following day, Day 2, the remainder of the tree is removed. Initial removal activities on Day 1 and the alteration of the tree is assumed to cause any bats roosting in the tree to abandon their roost on Night 1 so that removing the tree on Day 2 does not harm any bats. 	<p>Bureau of Engineering Contractor Biological Monitor</p>	<p>Preconstruction Construction</p>	<p>Bureau of Engineering</p>	<p>Field surveys and tree removal monitoring by qualified bat biologist</p>	<p>Once prior to construction, as needed for tree removal activities</p>	<p>N/A</p>

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BIO-18: If construction commences during the bird breeding season, a preconstruction survey for nesting birds shall occur within three 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 300-foot buffer. If nesting birds are found, an avoidance area will be established in consultation with the resource agencies 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 avoidance area can be reduced after consultation with a qualified biologist, the Department of Fish and Wildlife, and the Regional Water Quality Control Board	Bureau of Engineering Contractor Biological Monitor	Preconstruction Construction	Bureau of Engineering	Field surveys and verification of avoidance of sensitive habitat	Once prior to construction and as needed if there are lapses between construction activities	CDFW
BIO-19: No equipment or construction operations shall be placed or stored in a manner which obstructs wildlife movement through the riverine habitat during non-operational construction hours. No equipment or machinery will be stored in the riverine habitat , during the wet season, unless receiving proper authority from appropriate DFW and Regional Water Quality Control Board	Bureau of Engineering Contractor	Construction	Bureau of Engineering	Verification of proper storage of construction equipment	Ongoing	N/A
Archaeological Resources						
ARCH-1: If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area should be diverted until a qualified archaeologist can assess the nature and significance of the find. If changes are made to the proposed project, additional survey would be required if the proposed changes include areas not previously surveyed.	Bureau of Engineering Contractor Qualified Archaeologist	Construction	Bureau of Engineering	Field assessment by qualified archaeologist in the event that cultural materials are encountered	As needed	N/A

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<i>Paleontological Resources</i>						
<p>PALEO-1: If fossil materials are discovered during construction, all earth-moving activity within and around the immediate discovery area should be diverted until a qualified paleontologist can evaluate the find and make recommendations. If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations, possibly including fossil recovery, identification, preparation, and curation, and reporting, may be required to mitigate adverse impacts from project implementation. Construction shall not resume until the appropriate mitigation measures are implemented or the materials are determined to not require further investigation.</p>	Bureau of Engineering Contractor Qualified Paleontologist	Construction	Bureau of Engineering	Field assessment by qualified paleontologist in the event that fossil materials are encountered	As needed	N/A
<i>Hazards and Hazardous Materials</i>						
<p>HAZ-1: Additional soil and groundwater monitoring and analysis. A Soil Management Plan (SMP) shall be prepared and submitted to the Los Angeles County Fire Department for review and approval. The SMP shall be implemented during excavation and grading activities in areas of potential soil contamination to ensure contaminated soil encountered is properly identified, removed, and disposed of off-site. The SMP shall include the following provisions:</p> <ul style="list-style-type: none"> • A qualified environmental consultant, or geotechnical engineer, shall be present during grading and excavation activities to monitor compliance with the SMP and to actively monitor the soil and excavations for evidence of contamination. • Soil encountered during excavation or grading activities that appears to have been affected by hydrocarbons or other 	Bureau of Engineering Contractor	Preconstruction Construction	Bureau of Engineering	Verification that that the SMP is developed and that its provisions are implemented	Ongoing	Los Angeles City Fire Department

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<p>contamination shall be tested for potential contaminants and evaluated by a qualified environmental consultant prior to off-site disposal at a licensed facility.</p> <ul style="list-style-type: none"> • Soil determined to be contaminated shall be properly removed, handled, and transported to an appropriately licensed disposal facility, in accordance with the SMP. <p>In the event that groundwater is encountered during construction activities;</p> <ul style="list-style-type: none"> • The contractor shall seek the professional recommendation of a qualified environmental consultant, or geotechnical engineer, specializing in the identification and handling of hazardous materials. • Groundwater encountered during construction activities shall be tested for potential contaminants and evaluated by the environmental consultant prior to removal or discharge. Under the SWRCB’s NPDES General Permit; groundwater obtained during dewatering activities requires that it be sampled if it is to be discharged via surface waters. • Groundwater determined to be contaminated shall be properly handled and disposed of at a licensed disposal facility per the consultant’s recommendations. 						
Hydrology and Water Quality						
<p>WQ-1: The city shall implement permanent best management practices for trash control, such as proper containment and disposal bins (secured and covered) for daily trash collection and removal. Other permanent BMPs may also include physical facilities such as “no dumping” stencils/tiles and signs, control features for trash. Best management practices shall be maintained for the duration of the project and</p>	Bureau of Engineering Contractor	Construction	Bureau of Engineering	Verification of implementation of BMPs	Ongoing	N/A

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<p>maintenance efforts (including funding) shall be the responsibility of the applicant. A BMP maintenance plan shall be prepared by the applicant. Specifically, this BMP maintenance plan shall: (1) identify responsible parties for BMP funding and monitoring/maintenance efforts; and (2) describe all associated maintenance duties and frequencies and other pertinent information.</p>						
Noise						
<p>NOI-1: Prepare and Implement a Construction Noise Control Plan to Reduce Construction Noise at Noise-Sensitive Land Uses. The project sponsor shall develop a noise control plan to reduce construction noise levels such that the ambient noise level is not exceeded by 5 dBA, as determined by a qualified acoustical consultant. The plan shall require the following:</p> <ul style="list-style-type: none"> • Construction contractors shall specify noise-reducing construction practices that will be employed to reduce noise from construction activities. The measures specified by the project sponsor shall be reviewed and approved by the City prior to the issuance of building permits. Measures that can be used to limit noise include, but are not limited to, those listed below. <ul style="list-style-type: none"> ○ Locating construction equipment as far as feasible from noise-sensitive uses. ○ Requiring that all construction equipment powered by gasoline or diesel engines have sound control devices that are at least as effective as those originally provided by the manufacturer and that all equipment be operated and maintained to minimize noise generation. ○ Not idling inactive construction 	Bureau of Engineering Contractor	Prior to construction	Bureau of Engineering	Development and implementation of the noise control plan	Ongoing	N/A

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<p>equipment for prolonged periods (i.e., more than two minutes).</p> <ul style="list-style-type: none"> ○ Prohibiting gasoline or diesel engines from having unmuffled exhaust systems. ○ Using noise-reducing enclosures around noise-generating equipment that has the potential to disturb nearby off-site land uses or where otherwise necessary to comply with City Code noise limits for receiving zones. ○ Ensuring that equipment and trucks used for project construction utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds) wherever feasible. ○ Monitoring the effectiveness of noise attenuation measures by taking noise measurements. <ul style="list-style-type: none"> ● Construction activities shall be prohibited outside the hours of 7:00 a.m. to 9:00 p.m. on Monday through Friday and 8:00 a.m. to 6:00 p.m. on Saturdays and national holidays, unless given proper approval. No construction activity shall occur at any time on Sundays, unless given proper approval. Construction personnel shall not be permitted on the project site (including laydown and storage areas), and material or equipment deliveries and collections shall not be permitted during the prohibited hours. ● All construction equipment used on the proposed project that is regulated for noise output by a local, state, or federal agency shall comply with such regulation while in the course of project activity and use on- 						

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<p>site.</p> <ul style="list-style-type: none"> • All construction equipment shall be properly maintained. (Poor maintenance of equipment may cause excessive noise levels.) • The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. • Impact tools (e.g., jack hammers, pavement breakers, rock drills) used for project construction shall be hydraulically or electrically powered (where feasible) to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. Quieter procedures shall be used, such as drills rather than impact equipment, where feasible. • Construction contractors shall be required to use “quiet” gasoline-powered compressors or electrically powered compressors • Stationary noise sources, such as temporary generators, shall be located as far from nearby receptors as possible; they shall be muffled and enclosed within temporary enclosures and shielded by barriers, to the extent feasible. • Construction employees shall be trained in the proper operation and use of the equipment. (Careless or improper operation or inappropriate use of equipment can increase noise levels. Poor loading, unloading, excavation, and hauling techniques are examples of how a lack of adequate guidance and training may lead to increased noise levels.) 						

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<ul style="list-style-type: none"> • Construction equipment shall be stored on the project site or designated laydown areas while in use, to the extent feasible. This will eliminate noise associated with repeated transportation of the equipment to and from the site. • Prior to the issuance of the building permit, along with the submission of construction documents, the project sponsor shall submit to the Planning Department and Department of Building Inspection a list of measures for controlling noise and responding to and tracking complaints pertaining to construction noise. These measures shall include: <ul style="list-style-type: none"> ○ Identification of measures that will be implemented to control construction noise. ○ Identification of locations where it is infeasible to limit noise to be in compliance with applicable City standards. ○ A procedure and phone numbers for notifying the Department of Building Inspection, the Department of Public Health, or the Police Department of complaints (during regular construction hours and off hours). ○ A sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction. ○ Designation of an on-site construction complaint and enforcement manager for the project. ○ A plan for notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in 						

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advance of extreme noise-generating activities (defined as activities that generate noise levels of 90 dBA or greater) about the estimated duration of the activity and the associated control measures that will be implemented to reduce noise levels.						