

# MITIGATION MONITORING AND REPORTING PROGRAM

## 6<sup>th</sup> Street Viaduct Seismic Improvement Project



*Prepared by*

**City of Los Angeles  
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## 6<sup>TH</sup> STREET VIADUCT SEISMIC IMPROVEMENT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

This mitigation monitoring and reporting program (MMRP) has been prepared pursuant to California Public Resources Code (PRC) Section 21081.6, which requires adoption of a reporting and monitoring program for a project in which the lead agency has required changes or adopted mitigation to avoid significant environmental effects. Specific reporting or monitoring requirements to be enforced during project implementation must be defined prior to final approval of the project proposal by the decision-makers.

This MMRP identifies responsible parties and provides guidelines for implementation and reporting for all mitigation measures identified in the joint Final Environmental Impact Report/Environmental Impact Statement and Section 4(f) Evaluation for 6<sup>th</sup> Street Viaduct Seismic Improvement Project (Final EIR/EIS), dated October 2011.

### **A. Responsible Party**

The City of Los Angeles is the CEQA lead agency. The Department of Public Works, Bureau of Engineering (BOE) has responsibility for construction management and oversight, and the assurance that mitigation measures are implemented by designated and qualified personnel, which may include design and construction contractors. Therefore, BOE will also be responsible for monitoring and reporting on the mitigation measures in this MMRP.

### **B. Mitigation Requirements**

Unless otherwise stated in the FEIR/FEIS, the project will be designed, constructed and operated following all applicable laws, regulations, ordinances, and formally adopted City standards (e.g., *Los Angeles Municipal Code* and Bureau of Engineering *Standard Plans*). Construction will follow the uniform practices established by the Southern California Chapter of the American Public Works Association (e.g., *Standard Specifications for Public Works Construction* and the *Work Area Traffic Control Handbook* (WATCH Manual) as specifically adapted by the City of Los Angeles (e.g., *The City of Los Angeles Department of Public Works Additions and Amendments to the Standard Specifications For Public Works Construction* [a.k.a. "The Brown Book," formerly Standard Plan S-610]). These measures are generally incorporated as part of the City's bid and specifications package.

A total of 23 mitigation measures (*i.e.*, measures not part of applicable laws or City-adopted policies and standards) are required to be undertaken to mitigate the potentially significant impacts associated with this project. These mitigation measures are presented in the table below.

### **C. Schedule and Reporting Frequency**

Implementation and monitoring of mitigation tasks, as outlined in the table below, will be documented in the Mitigation Monitoring Report form (see Exhibit A), which will be issued by the BOE Environmental Management Group (EMG) to the party responsible for task implementation. These forms will be used to demonstrate and document compliance with PRC Section 21081.6, and will be completed by those having designated responsibility for mitigation implementation and monitoring. Completed forms shall be submitted to EMG for verification and filing as soon as each mitigation task is completed, or reaches a designated completion milestone. Retained mitigation monitoring reports will be made available to the public for a period of five (5) years following completion of the project. Duplicate copies of certified forms will also be retained in the City's archives together with the 'as-built' drawings for this project.

### Mitigation Measures, Implementation, Scheduling, and Reporting

No.	Mitigation Measure	Affected Resource(s) <sup>1</sup>	Implementation Task(s)	Schedule of Implementation	Implementation Responsibility	Record of Implementation	Verification and Record Keeping
1	Conduct a public outreach program to keep residents, businesses, utility service providers, emergency service providers (including Fire and Police Departments) within the project area informed of the project construction schedule, demolition plan, material hauling plan, relocation plans and assistance programs, traffic-impacted areas, and the Traffic Management Plan (TMP) and other relevant project information.	Community Values Cumulative Effects  (MM 3-1)	<ol style="list-style-type: none"> <li>1. Engage a public outreach consultant to develop a public outreach program for implementation during preconstruction and construction phases. The Plan may include, but not limited to, organization of community meetings, publication of newsletters, creation and maintenance of a public website, and establishment of telephone hotlines.</li> <li>2. Conduct periodic community meetings to provide project updates during final design phase.</li> <li>3. Notify affected property owners, area residents, emergency service providers, and public service providers of scheduled demolition and construction activities at least two weeks in advance.</li> <li>4. Make available the demolition plan and material hauling plan for public access and review.</li> <li>5. Post project information signage at the construction zone at least one month before scheduled demolition and construction dates.</li> <li>6. Issue quarterly project updates to affected property owners and area residents.</li> </ol>	<ol style="list-style-type: none"> <li>1. Final Design</li> <li>2. Final Design</li> <li>3. Prior to demolition</li> <li>4. Prior to demolition</li> <li>5. Prior to demolition and construction</li> <li>6. During demolition and construction</li> </ol>	<ol style="list-style-type: none"> <li>1. BOE Bridge Improvement Program (BIP)</li> <li>2-4. Design Consultant, Public Outreach Consultant, LA DPW Public Affairs Office</li> <li>5. BOE Construction Manager</li> <li>6. Public Outreach Consultant, LA DPW Public Affairs Office</li> </ol>	1-6. Records of compliance kept on file at BOE BIP.	1-6 BOE EMG
2	Require the construction contractor to submit the means and methods of demolition for BOE review and approval. During the demolition period, construction inspectors shall	Community Values  (MM 3-2)	<ol style="list-style-type: none"> <li>1. Prepare general means and methods requirements for demolition work so as to minimize impacts to nearby businesses and include them</li> </ol>	<ol style="list-style-type: none"> <li>1. Final Design</li> <li>2. Prior to demolition</li> <li>3. During demolition</li> </ol>	<ol style="list-style-type: none"> <li>1. Design Consultant</li> <li>2. BOE BIP</li> <li>3. BOE Construction Manager</li> </ol>	<ol style="list-style-type: none"> <li>1. General requirements established and included in the bid package.</li> <li>2. Approved plan kept at</li> </ol>	1-3. BOE EMG

<sup>1</sup> Mitigation measures as identified in the EIR/EIS are provided in the parentheses for reference.

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	ensure the contractors adhere to the approved plan.		<p>in the bid &amp; specifications package.</p> <p>2. Review and approve the plan submitted by construction contractor.</p> <p>3. Ensure the construction contractor adheres to the approved demolition plan.</p>			<p>BOE BIP</p> <p>3. Record of compliance kept on file at BOE BIP</p>	
3	Participate in ongoing meetings with the BOE Los Angeles River Project Office (LARPO) to implement elements of the Los Angeles River Revitalization Master Plan (LARRMP) related to Greening Concept objectives to improve the area near the 6 <sup>th</sup> Street Viaduct and provide potential future connections to the river corridor from the viaduct. In addition to LARPO, meetings will include, but are not limited to, the Planning Department, the Recreation and Parks Department, and the Community Redevelopment Agency.	<p>Community Values Visual Resources Cumulative Effects</p> <p>(MM 3-3)</p>	1. Designated staff of BOE to attend appropriate planning meetings to provide input on possible design changes/enhancement to the new viaduct and connecting roadway to accommodate desired features proposed by relevant planning agencies.	1. Throughout the design phase, construction, and post-construction as applicable	1. BOE BIP	1. Minutes of meetings kept on file at BOE.	1. BOE EMG
4	Provide improvements to enhance the aesthetics and pedestrian safety of 11 out of 13 affected intersections along the proposed detour routes that could not be mitigated. Types of improvements would be developed with public input and using context sensitive design solutions, and may include but not be limited to the following: decorative crosswalk with community theme; raised median with hardscape treatment where space allows.	<p>Community Values/ Environmental Justice Visual Resources</p> <p>(MM 3-4)</p>	<p>1. Include proposed improvements at the following intersections as part of the Traffic Detour Plan:</p> <ul style="list-style-type: none"> <li>• 3<sup>rd</sup> Street and Alameda Street</li> <li>• 7<sup>th</sup> Street and Alameda Street</li> <li>• Whittier Boulevard and Soto Street</li> <li>• 7<sup>th</sup> Street and Santa Fe Avenue</li> <li>• 4<sup>th</sup> Street-Pecan Street and US 101 Southbound off-ramp</li> <li>• 4<sup>th</sup> Street and US 101 Southbound off-ramp</li> <li>• 4<sup>th</sup> Street and US 101 Northbound off-ramp</li> <li>• 7<sup>th</sup> Street and Soto Street</li> <li>• 4<sup>th</sup> Street and Boyle</li> </ul>	<p>1. Final Design</p> <p>2. Prior to the commencement of detour plan</p>	<p>1. Design Consultant</p> <p>2. Construction contractor</p>	<p>1. Improvements to affected intersections approved by LADOT</p> <p>2. Construction completed and accepted by LADOT</p>	<p>1. BOE EMG</p> <p>2. LADOT</p>

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			Avenue <ul style="list-style-type: none"> <li>• 4<sup>th</sup> Street and I-5 NB On/Off-Ramps/Cumming Street</li> <li>• 7<sup>th</sup> Street and Boyle Avenue.</li> </ul> 2. Construct street improvements per approved plan.				
5	Develop a construction staging plan and TMP in close coordination with members of the Downtown Construction Traffic Management Committee and with agencies or developers responsible for other planned projects in the immediate vicinity of the proposed project to minimize direct and cumulative construction impacts on the community. The TMP shall identify and provide alternate traffic detour routes, construction materials hauling routes, bus stops, shortest alternate transit routes and operation hours, alternative pedestrian routes, alternative bicycle routes, and residential and commercial access routes to be used during the construction period.	Community Values Traffic and Transportation /Pedestrian Facilities Cumulative Effects  (MM 3-5)	1. Prepare construction staging plan and TMP 2. Include requirements in bid & contract specifications. 3. Implement the approved plan. 4. Provide a telephone hotline to receive comments and concerns from affected parties about construction activities.	1-2. Final Design 3. During demolition and construction activities 4. During demolition and construction	1-2. Design Consultant 3. LADOT 4. BOE Construction Manager	1-4. Records of compliance kept on file at BOE BIP and LADOT	1-2. BOE EMG 3. LADOT 4. BOE EMG
6	Inform event organizers in the Boyle Heights and Downtown Arts District communities of the construction schedule to avoid any conflicts in the use of areas near the 6 <sup>th</sup> Street Viaduct for any festive events.	Community Values  (MM 3-6)	Same as # 1 (MM 3-1) above	Same as # 1 (MM 3-1) above	Same as # 1 (MM 3-1) above	Same as # 1 (MM 3-1) above	Same as # 1 (MM 3-1) above
7	If homeless people were found within the construction site, the Los Angeles Homeless Services Authority (LAHSA) would be contacted to provide services to those affected prior to construction.	Community Values  (MM 3-7)	1. Monitor construction site and its surrounding on a regular basis. Contact LAHSA to provide service to homeless people found around the construction site.	1. Prior to and during construction	1. Construction Contractor	1. Records of compliance kept on file at BOE BIP	1. BOE BIP
8	Require the construction contractor to install new traffic signals connected to Los Angeles City ATSAC system at the intersection of 4 <sup>th</sup> Street and US 101 SB on-/off-	Traffic and Transportation /Pedestrian Facilities	1. Include the required traffic signal features into the roadway design 2. Install the traffic signal per the	1. Roadway Final Design 2. Construction phase	1. Design Consultant 2. Construction contractor	1. Design reviewed and approved by LADOT 2. Construction completed and accepted by BOE	1. BOE EMG 2. BOE BIP

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	ramps.	(MM 3-8)	approved plan				
9	Require the construction contractor to restripe to add an eastbound right-turn lane at the intersection of 4 <sup>th</sup> Street and Soto Street.	Traffic and Transportation /Pedestrian Facilities  (MM 3-9)	1. Include the required intersection striping features into the roadway design 2. Restripe the roadway per the approved plan	1. Roadway Final Design 2. Construction Phase	1. Design Consultant 2. Construction Contractor	1. Design reviewed and approved by LADOT 2. Construction completed and accepted by BOE	1. BOE EMG 2. BOE EMG
10	Establish an Aesthetics Advisory Committee (AAC) to provide input and advice throughout the design period of the project, including input on bridge aesthetics for the new structure and associated roadways under improvement within the scope of this project. The AAC will participate in design review meetings and provide input on selected design elements including, but not limited to, colors, textures, lighting, railings, and community/City gateway monumental elements.	Visual Resources  (MM 3-10)	1. Formation of AAC 2. Conduct AAC meetings/ workshops to solicit input on design elements	1-2 Final Design	1-2 Design Consultant	1-2. Minutes of workshops kept on file at BOE BIP.	1-2. BOE EMG
11	Prior to the start of any work that could adversely affect any characteristics that qualify the 6 <sup>th</sup> Street Viaduct (Bridge No. 53C-1880 and 53-0595) as a historic property, contact the National Park Service (NPS) Western Region Office in Oakland, California, to determine if additional recordation is required for the historic property beyond that provided in "Historic American Engineering Record, 6 <sup>th</sup> Street Bridge, HAER No. CA-176," dated May 7, 1996. The City shall provide NPS 30 days to respond to their additional recordation determination request. If additional documentation is required, Caltrans shall ensure that the additional documentation is completed and accepted by NPS before the Viaduct is altered and/or demolished. The City shall prepare draft and final reports to be reviewed by NPS.	Cultural Resources  (MM 3-11)	1. Engage a qualified architectural historian consultant to coordinate with NPS and prepare required documents per NPS requirements. 2. Submit approved documents to SHPO.	1. Final Design 2. Construction Phase	1-2 BOE BIP	1. HAER documentation reviewed and approved by NPS. 2. A copy of transmittal letter to SHPO kept on file at BOE BIP and Caltrans.	1-2. BOE EMG

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12	Upon completion, copies of the HAER documentation prescribed in Mitigation measure 3-9, consisting of an acid-free xerographic copy of the report, prepared on standard 8 ½ X 11 paper, shall be retained by Caltrans District 7, deposited in the Caltrans Transportation History Library in Sacramento, and offered by the City to, at a minimum, the Los Angeles Public Library, Los Angeles Conservancy, Los Angeles City Historical Society, Historical Society of Southern California, City of Los Angeles Office of Historic Resources, and the California Office of Historic Preservation.	Cultural Resources  (MM 3-12)	1. Reproduce and mail approved HAER documentation to designated recipients. 2. Submit activity completion report to SHPO.	1. After HAER documentation is approved by NPS. 2. Prior to viaduct demolition	1. Design Consultant 2. BOE BIP	1. Transmittal letter kept on file at BOE BIP. 2. A copy of progress report to SHPO kept on file at BOE BIP and Caltrans.	1-2. BOE EMG
13	Work with the Los Angeles Public Library to place the historical information from the HAER report on a City website with a link to a public library website, such as the Los Angeles Public Library website, available to the public for a minimum period of three years. The information link will also be made available to the Caltrans Transportation Library and History Center at Caltrans Headquarters in Sacramento for inclusion on their website.	Cultural Resources  (MM 3-13)	1. Post an electronic copy of approved HAER documentation on the City website and provide the link to various designated libraries. 2. Submit activity completion report to SHPO.	1. After HAER documentation is approved by NPS. 2. Prior to viaduct demolition	1. BOE Information System Department 2. BOE BIP	1. A copy of transmittal letter kept on file at BOE BIP. 2. A copy of progress report to SHPO kept on file at BOE BIP and Caltrans.	1-2. BOE EMG
14	Produce a documentary (motion picture or video) that addresses the history of the Los Angeles River Monument bridges, and their importance and use within the broader contextual history of the City of Los Angeles. The motion picture or video shall be of broadcast quality, between 30- and 90-minute duration, and shall be made available to local broadcast stations, public access channels in the local cable systems, and requesting schools/libraries; one copy shall be submitted to the Caltrans Transportation Library and History Center at Caltrans	Cultural Resources  (MM 3-14)	1. Engage a qualified consultant to prepare the documentary motion picture or video. 2. Submit a story board for review and approval by BOE, Cultural Heritage Commission, Cultural Affairs Department, Caltrans, and SHPO 3. Submit the draft documentary video for review and approval by Caltrans, City Board of Public Works, and SHPO. 4. Distribute the approved documentary video to local	1-5. Final design (Note: Period of implementation may extend to cover demolition, construction, and opening ceremony activities, depending upon the approved story board for the documentary.)	1. BOE BIP 2. Design Consultant 3. Design Consultant 4. BOE BIP 5. BOE BIP	1. Record of compliance kept on file at BOE BIP. 2-4 A copy of transmittal letters and correspondence with relevant agencies kept on file at BOE BIP. 5. A copy of progress report to SHPO kept on file at BOE BIP and Caltrans.	1-5 BOE EMG

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	Headquarters in Sacramento.		broadcast stations and other specified sources. 5. Submit activity completion report to SHPO.				
15	Produce and publish a booklet on the Historic Los Angeles River Bridges that addresses the history of the monumental concrete bridges of Los Angeles and this bridge's place in that history. The booklet shall be similar in general format to the "Historic Highway Bridges of California" published by the California Department of Transportation (1991) and shall include high quality black and white images of the Los Angeles River Bridges, historic photographs or drawings, as appropriate and text describing each of the bridges' location, year built, builder, bridge type, significant character-defining features and its historic significance. City shall post an electronic version of the booklet on a City website and produce paper copies for distribution to local libraries, institutions and historical societies. One copy shall be submitted to the Caltrans Transportation Library and History Center in Sacramento. City shall maintain the camera-ready master booklet and produce additional copies if there is demand	Cultural Resources  (MM 3-15)	<ol style="list-style-type: none"> <li>1. Engage a qualified consultant to prepare the historic monumental bridge booklet.</li> <li>2. Submit an outline of the booklet for review and approval by BOE, Cultural Heritage Commission, Cultural Affairs Department, Caltrans, and SHPO.</li> <li>3. Submit the draft booklet for review and approval by Caltrans, City Board of Public Works, and SHPO.</li> <li>4. Distribute the approved booklet to specified recipients.</li> <li>5. Post an electronic version of the approved booklet on the City website and provide the link to various designated libraries.</li> <li>6. Submit activity completion report to SHPO.</li> </ol>	1-6. Final design through bridge opening day.	<ol style="list-style-type: none"> <li>1. BOE BIP</li> <li>2. Design Consultant</li> <li>3. Design Consultant</li> <li>4. BOE BIP</li> <li>5. Information System Department</li> <li>6. BOE BIP</li> </ol>	<ol style="list-style-type: none"> <li>1. Record of compliance kept on file at BOE BIP.</li> <li>2-4 A copy of transmittal letters and correspondence with relevant agencies kept on file at BOE BIP.</li> <li>5. Electronic version of booklet posted on City website</li> <li>6. A copy of progress report to SHPO kept on file at BOE BIP and Caltrans.</li> </ol>	1-6. BOE EMG
16	Install two freestanding informative permanent metal plaques or signage at both ends of the viaduct, at public locations, that provide a brief history of the bridge, its engineering features and characteristics, and the reasons it was replaced.	Cultural Resources  (MM 3-16)	<ol style="list-style-type: none"> <li>1. Incorporate the required features in project design.</li> <li>2. Submit the design for review and approval by BOE, Cultural Heritage Commission, Cultural Affairs Department, Caltrans, and SHPO.</li> <li>3. Include the approved design in bid &amp; specification package.</li> <li>4. Submit activity completion report to SHPO.</li> </ol>	1- 4. Final Design	<ol style="list-style-type: none"> <li>1. Design Consultant</li> <li>2. BOE BIP</li> <li>3. Design Consultant</li> <li>4. BOE BIP</li> </ol>	<ol style="list-style-type: none"> <li>1-3 Record of compliance kept on file at BOE BIP.</li> <li>4. A copy of progress report to SHPO kept on file at BOE BIP and Caltrans.</li> </ol>	1-4. BOE EMG



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17	Offer artifacts removed from the viaduct during demolition to local museums, or other suitable facilities to be determined by the City. The accepting institutions shall arrange their own transportation to deliver the artifacts to designated locations.	Cultural Resources  (MM 3-17)	<ol style="list-style-type: none"> <li>1. Include specific requirements in bid &amp; specification package.</li> <li>2. Notify interested parties of the availability of artifacts.</li> <li>3. Coordinate with construction contractor to schedule artifact pick-up.</li> <li>4. Submit activity completion report to SHPO.</li> </ol>	<ol style="list-style-type: none"> <li>1. Final Design</li> <li>2. Prior to demolition of the viaduct</li> <li>3-4. During demolition of the viaduct</li> </ol>	<ol style="list-style-type: none"> <li>1. Design Consultant</li> <li>2. Design Consultant</li> <li>3. BOE Construction Manager</li> <li>4. BOE BIP</li> </ol>	<ol style="list-style-type: none"> <li>1-3. Record of compliance including a copy of offer letters kept on file at BOE BIP.</li> <li>4. A copy of progress report to SHPO kept on file at BOE BIP and Caltrans.</li> </ol>	1-4. BOE EMG
18	Establish an Environmentally Sensitive Area (ESA) Action Plan, which will include fencing of site no. LAN 19-003683, archaeological and Native American monitoring during ground-disturbing activities, and training of construction workers.	Cultural Resources  (MM 3-18)	<ol style="list-style-type: none"> <li>1. Include specific requirements in bid &amp; specification package.</li> <li>2. Notify the Gabrieleno Band of Mission Indians representative to monitor the site during excavation of the viaduct footings.</li> <li>3. Engage a qualified archeologist.</li> <li>4. Conduct archaeological monitoring of the site during ground-disturbing activities.</li> </ol>	<ol style="list-style-type: none"> <li>1. Final design</li> <li>2. Prior to ground-disturbing activities</li> <li>3. During ground-disturbing activities</li> </ol>	<ol style="list-style-type: none"> <li>1. Design Consultant</li> <li>2-3. BOE BIP</li> <li>4. Archaeological Consultant</li> </ol>	<ol style="list-style-type: none"> <li>1. ESA established</li> <li>2-3. A copy of notification letter to the Gabrieleno Band of Mission Indians kept on file at BOE BIP.</li> <li>4. Monitoring report prepared and signed by a qualified archeologist and/or Native American monitor kept on file at BOE BIP.</li> </ol>	1-2 BOE EMG
19	Retain a qualified paleontologist to develop and implement a Paleontological Mitigation Plan (PMP). Conduct paleontological monitoring onsite to inspect new exposures created by earth-moving activities in areas underlain by the older alluvium (the area east of US 101) and at depths greater than 5 ft below current grade for the younger alluvium.	Paleontology  (MM 3-19)	<ol style="list-style-type: none"> <li>1. Engage a qualified paleontologist to prepare a PMP for implementation during ground-disturbing activities.</li> <li>2. Include specific requirements of the PMP in bid &amp; specification package.</li> <li>3. Monitor the site during soil disturbing activities.</li> </ol>	<ol style="list-style-type: none"> <li>1-2. Final design</li> <li>3. During ground-disturbing activities</li> </ol>	<ol style="list-style-type: none"> <li>1. BOE BIP</li> <li>2. Design Consultant</li> <li>3. Paleontological Consultant</li> </ol>	<ol style="list-style-type: none"> <li>1. Record of compliance kept on file at BOE BIP.</li> <li>2. Specific requirements included in bid and specification package.</li> <li>3. Monitoring report prepared and signed by a qualified paleontologist kept on file at BOE BIP</li> </ol>	1-3. BOE EMG
20	<p>To the extent applicable, implement fugitive dust source controls by requiring the contractor to:</p> <ul style="list-style-type: none"> <li>• Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This applies to active and inactive sites during workdays, weekends, holidays, and windy conditions.</li> </ul>	Air quality  (MM 3-20)	<ol style="list-style-type: none"> <li>1. Include the requirements in bid and specification package.</li> <li>2. Monitor to ensure the contractor complies with the requirements.</li> </ol>	<ol style="list-style-type: none"> <li>1. Final design.</li> <li>2. During demolition and construction</li> </ol>	<ol style="list-style-type: none"> <li>1. Design Consultant</li> <li>2. BOE Construction Manger</li> </ol>	1-2. Record of compliance kept on file at BOE BIP.	1-2. BOE EMG

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	<ul style="list-style-type: none"> <li>Install wind fencing and phase grading operations, where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.</li> </ul>						
21	<p>To the extent applicable, implement mobile and stationary source controls by requiring the contractor to::</p> <ul style="list-style-type: none"> <li>Reduce use, trips, and unnecessary idling from heavy equipment.</li> <li>Maintain and tune engines per manufacturer's specifications to perform at EPA certification levels, where applicable, and at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications.</li> <li>Prohibit any tampering with engines and adhere to manufacturer's recommendation.</li> <li>Lease new and clean equipment meeting the most stringent of applicable federal and state standards, if practicable.</li> <li>Utilize EPA-registered particulate traps and other appropriate controls, where suitable, to reduce emissions of particulate matter and other pollutants at the construction site.</li> </ul>	Air quality  (MM 3-21)	<ol style="list-style-type: none"> <li>1. Include the requirements in bid and specification package.</li> <li>2. Monitor to ensure the contractor complies with the requirements.</li> </ol>	<ol style="list-style-type: none"> <li>1. Final design</li> <li>2. During demolition and construction</li> </ol>	<ol style="list-style-type: none"> <li>1. Design Consultant</li> <li>2. BOE Construction Manager</li> </ol>	1-2. Record of compliance kept on file at BOE BIP.	1-2. BOE EMG
22	<p>To the extent applicable, implement administrative controls by requiring its staff to:</p> <ul style="list-style-type: none"> <li>Require the contractor to prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission</li> </ul>	Air quality  (MM 3-22)	<ol style="list-style-type: none"> <li>1. Include the requirements in bid and specification package.</li> <li>2. Monitor to ensure the contractor complies with the requirements.</li> </ol>	<ol style="list-style-type: none"> <li>1. Final design.</li> <li>2. During demolition and construction</li> </ol>	<ol style="list-style-type: none"> <li>1. Design Consultant</li> <li>2. BOE Construction Manager</li> </ol>	1-2. Record of compliance kept on file at BOE BIP.	1-2. BOE EMG

No.	Mitigation Measure	Affected Resource(s) <sup>1</sup>	Implementation Task(s)	Schedule of Implementation	Implementation Responsibility	Record of Implementation	Verification and Record Keeping
	<p>controls for each piece of equipment before groundbreaking. (Suitability of control devices is based on whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public.)</p> <ul style="list-style-type: none"> <li>• Meet EPA diesel fuel requirements for off-road and on-highway and, where appropriate, use alternative fuels such as natural gas and electric.</li> <li>• Develop a construction traffic and parking management plan that minimizes interference and maintains traffic flow as part of the TMP.</li> <li>• Require the contractor to identify sensitive receptors in the project area and specify the means to minimize impacts to these populations.</li> </ul>						
23	Prevent possible damage and injury to migratory birds by scheduling the removal of vegetation (whether native or horticultural landscaping) in the project area between September 1 and January 31. If initial vegetation removal and ground clearance cannot be avoided between February 1 and August 31, a qualified biologist shall conduct a preconstruction survey of trees and shrubbery for active nests. If active nests of migratory species occur within the construction area, then a temporary exclusion fence 50 feet in diameter shall be assembled around the nest. The biologist shall then monitor the site of active nests during the	Biological Resources  (MM 3-23)	<ol style="list-style-type: none"> <li>1. Schedule non-native ornamental vegetation removal between September 1 and January 31.</li> <li>2. Engaged a qualified biologist to conduct a preconstruction survey</li> <li>3. Conduct a preconstruction survey</li> <li>4. If the active nest is found, direct the construction contractor to install an exclusion fence.</li> <li>5. Monitor the active nest during construction activities until the chicks have fledged.</li> </ol>	<ol style="list-style-type: none"> <li>1-4. Pre-construction period.</li> <li>5. During construction activity that occurs near the active nest location.</li> </ol>	<ol style="list-style-type: none"> <li>1. BOE Construction Manager</li> <li>2 BOE BIP</li> <li>3-5. Biological Consultant</li> </ol>	<ol style="list-style-type: none"> <li>1-2. Record of compliance kept on file at BOE BIP.</li> <li>3-5. A survey report kept on file at BOE.</li> </ol>	1-5. BOE EMG

No.	Mitigation Measure	Affected Resource(s) <sup>1</sup>	Implementation Task(s)	Schedule of Implementation	Implementation Responsibility	Record of Implementation	Verification and Record Keeping
	<p>construction activities. Once the biologist determines chicks have fledged or parents have abandoned the nest, the temporary fence can be removed and construction in such area can proceed. If bats are found, bat proofing (exclusion) will occur outside of the breeding season (October 30 through March 1) after juvenile bats have learned to fly; exclusion will be staged to ensure that roosting sites in areas not currently under construction will be available at all times during the project to minimize the potential effects on bats.</p>						

**EXHIBIT A**  
**MITIGATION MONITORING REPORT FORM**



# MITIGATION MONITORING REPORT

SECTION 21081.6 PUBLIC RESOURCES CODE

<b>CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS 1149 S. BROADWAY, SUITE 750 LOS ANGELES, CALIFORNIA 90015</b>		<b>MITIGATION MEASURE NO. _____</b>  Page ____ of ____	
<b>Project</b> <b>6<sup>th</sup> Street Viaduct Seismic Improvement Project</b>		<b>Location</b> <b>6<sup>th</sup> Street Over Los Angeles River between Mateo Street and West of Interstate 5</b>	
Mitigation Description:		Implementation Responsibility:	
Implementation Task:		Implementation Schedule:	
Record of Implementation:		Start Date	Complete Date
Remarks:			
<i>The information contained in this report is an independent evaluation based on my personal observations and information provided to me. I hereby certify that the information contained herein is true and correct to the best of my knowledge.</i>			
Name of Person Completing Form _____ Title _____			
Signature _____ Date Signed _____			
<b>VERIFICATION:</b>			
Form Received by: _____ Signature: _____			
Title: _____ Department/Division: _____ Date Rec'd: _____			
Compliance Acceptance: <input type="checkbox"/> Yes <input type="checkbox"/> No		Mitigation Completed: <input type="checkbox"/> Yes <input type="checkbox"/> No	

Attach additional sheets if necessary.

**EXHIBIT B**  
**MEMORANDUM OF AGREEMENT**

**MEMORANDUM OF AGREEMENT  
BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND  
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE 6<sup>TH</sup> STREET VIADUCT SEISMIC IMPROVEMENT  
PROJECT  
LOS ANGELES, LOS ANGELES COUNTY, CALIFORNIA**

**WHEREAS**, the Federal Highways Administration (FHWA) has assigned and the California Department of Transportation (Caltrans) has assumed FHWA responsibility for environmental review, consultation, and coordination under the provisions of the *Memorandum of Understanding (MOU) between the Federal Highway Administration and the California Department of Transportation Concerning the State of California's Participation in the Surface Transportation Project Delivery Pilot Program*, which became effective on July 1, 2007, and applies to this project; and

**WHEREAS**, Caltrans has determined that the proposed replacement of the 6<sup>th</sup> Street Viaduct (Bridge No. 53C-1880 and 53-0595) crossing the Los Angeles River, will have an adverse effect on the 6<sup>th</sup> Street Viaduct, a property determined to be eligible for the National Register of Historic Places (NRHP); and

**WHEREAS**, Caltrans has consulted with the California State Historic Preservation Officer (SHPO) pursuant to Stipulations X.C., and X.I. of the January 2004, *Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it pertains to the Administration of the Federal-Aid Highway Program in California* (PA), and where the PA so directs, in accordance with 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (NHPA) (16 USC Section 470f), as amended, regarding the Undertaking's effects on historic properties and has notified the Advisory Council on Historic Preservation (ACHP) of the adverse effect finding pursuant to pursuant to 36 CFR § 800.6(a)(1); and

**WHEREAS**, Caltrans has thoroughly considered alternatives to the Undertaking, has determined that the statutory and regulatory constraints on the design of the Undertaking preclude the possibility of avoiding adverse effects to the historic property during the Undertaking's implementation, and has further determined that it will resolve adverse effects of the Undertaking on the subject historic property through the execution and implementation of this Memorandum of Agreement (MOA); and

**WHEREAS**, Caltrans District 7 (District 7) and the City of Los Angeles (City), have participated in the consultation process and have been invited to concur in this MOA; and

**WHEREAS**, Caltrans shall ensure that the following stipulations are implemented; and



**NOW, THEREFORE**, Caltrans and the SHPO agree that, upon Caltrans' decision to proceed with the Undertaking, Caltrans shall ensure that the Undertaking is implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking on the historic property, and further agrees that these stipulations shall govern the Undertaking and all of its parts until this MOA expires or is terminated.

## **STIPULATIONS**

Caltrans shall ensure the following stipulations are implemented:

### **I. AREA OF POTENTIAL EFFECTS**

- A. The Area of Potential Effects (APE) for the Undertaking was established to include all areas within the vicinity of the Sixth Street Viaduct that may contain historic properties that would be directly or indirectly affected by the Undertaking. The APE included the maximum existing and proposed right-of-way, project construction easements, staging areas, and temporary or permanent changes in access. The APE is depicted as Exhibit 3 of Attachment A of this MOA.
- B. If modification of the Undertaking, subsequent to the execution of this MOA, necessitates the revision of the APE, Caltrans will consult with the City and the SHPO to facilitate mutual agreement on the subject revisions. If Caltrans, the City, and the SHPO cannot reach such agreement, then the parties to this MOA shall resolve the dispute in accordance with stipulation III.D below. If Caltrans and the SHPO reach mutual agreement on the proposed revisions, the City and Caltrans will submit a final map of the revisions, consistent with attachment 3 of the PA, no later than 30 days following such agreement.

### **II. TREATMENT OF HISTORIC PROPERTIES**

- A. Prior to the start of any work that could adversely affect any characteristics that qualify the 6<sup>th</sup> Street Viaduct (Bridge No. 53C-1880 and 53-0595) as a historic property, the City shall contact the National Park Service Western Region Office (NPS) in Oakland, California, to determine if additional recordation is required for the historic property beyond that provided in "Historic American Engineering Record, 6<sup>th</sup> Street Bridge, HAER No. CA-176," dated May 7, 1996. The City shall provide NPS 30 days to respond to their additional recordation determination request. If additional documentation is required, Caltrans shall ensure that the additional documentation is completed and accepted by NPS before the Viaduct is altered and/or demolished. The City shall prepare draft and final reports to be reviewed by Caltrans and NPS.
- B. Upon completion, copies of the documentation prescribed in subsection A of this stipulation, consisting of an acid-free xerographic copy of the report, prepared on standard 8 ½ X 11 paper, shall be retained by District 7, deposited in the Caltrans

Transportation History Library in Sacramento, and offered by the City to, at a minimum, the Los Angeles Public Library, Los Angeles Conservancy, Los Angeles City Historical Society, Historical Society of Southern California, City of Los Angeles Office of Historical Resources, and the California Office of Historic Preservation.

- C. The City shall work with the Los Angeles Public Library to place the historical information from the HABS/HAER report on a City website with a link to a public library website, such as the Los Angeles Public Library website, available to the public for a minimum period of three years. The information link will also be made available to the Caltrans Transportation Library and History Center at Caltrans Headquarters in Sacramento for inclusion on their website.
- D. The City shall produce a documentary (motion picture or video) that addresses the history of the Los Angeles River Monument bridges, and their importance and use within the broader contextual history of the City of Los Angeles. The motion picture or video shall be of broadcast quality, between 30- and 90-minute duration, and shall be made available to local broadcast stations, public access channels in the local cable systems, and requesting schools/libraries; one copy shall be submitted to the Caltrans Transportation Library and History Center at Caltrans Headquarters in Sacramento.
- E. The City shall produce and publish a booklet on the Historic Los Angeles River Bridges that addresses the history of the monumental concrete bridges of Los Angeles and this bridge's place in that history. The booklet shall be similar in general format to the "Historic Highway Bridges of California" published by the California Department of Transportation (1991) and shall include high quality black and white images of the Los Angeles River Bridges, historic photographs or drawings, as appropriate and text describing each of the bridges' location, year built, builder, bridge type, significant character-defining features and its historic significance. City shall post an electronic version of the booklet on a City website and produce paper copies for distribution to local libraries, institutions and historical societies. One copy shall be submitted to the Caltrans Transportation Library and History Center in Sacramento. City shall maintain the camera-ready master booklet and produce additional copies if there is demand.
- F. The City shall install two new freestanding informative permanent metal plaques or signage at both ends of the bridge at public locations that provide a brief history of the bridge, its engineering features and characteristics, and the reasons it was replaced.
- G. The City shall offer artifacts removed from the Viaduct during demolition to local museums, or other suitable facilities to be determined by the City. The accepting institutions shall arrange their own transportation to deliver the artifacts to designated locations.

### **III. PROJECT DOCUMENTS CRITERIA AND REVIEW**

- A. The City shall submit to the SHPO for review and comment Design Development Drawings, and 30%, 60%, and 90% Construction Documents for work on the 6<sup>th</sup> Street Viaduct.
- B. SHPO will review the project documents included in each consultation package submitted by the City to determine whether the Project Documents conform to the criteria cited in paragraph A of this stipulation. SHPO will provide comments on each submittal to the City within 30 calendar days of receipt. If the SHPO does not comment within the time provided, the City may assume that the SHPO concurs that the package conforms with the criteria cited.
- C. The City will incorporate SHPO comments into the Project Documents to the fullest extent. If the City revises the Project Documents in response to the SHPO comments, then no further review is required for that submittal. The City will promptly notify SHPO in writing that it has revised the Project Documents in accordance with SHPO comments.
- D. Should the City object to incorporating any SHPO comments into the Project Documents, the City will provide SHPO with written explanation of its objection. Promptly after receiving a written objection from the City, the City and SHPO shall consult to resolve the objection. If the objection is not resolve, provision of stipulation IV.C. shall be implemented.

### **IV. ADMINISTRATIVE PROVISIONS**

#### **A. Definitions.**

The definitions provided at 36 CFR § 800.16 are applicable throughout this MOA.

#### **B. Professional Qualifications and Standards**

Caltrans will ensure that only individuals meeting the Secretary of the Interior's Professional Qualification Standards (48 FR 44738-39) in the relevant field of study carry out or review appropriateness and quality of the actions and products required by Stipulations II. A-F in this MOA.

#### **C. Discoveries and Unanticipated Effects**

If Caltrans determines after construction of the Undertaking has commenced, that the Undertaking will affect a previously unidentified property that may be eligible for listing in the National Register, or affect a known historic property in an unanticipated manner, Caltrans will address the discovery or unanticipated effect in accordance with 36 CFR § 800.13(b)(3). Caltrans at its discretion may hereunder

assume any discovered property to be eligible for inclusion in the National Register in accordance with 36 CFR § 800.13 (c).

#### **D. Resolving Objections**

1. Should any party to this MOA object at any time in writing to the manner in which the terms of this MOA are implemented, to any action carried out or proposed with respect to implementation of the MOA, or to any document prepared in accordance with and subject to the terms of the MOA, Caltrans shall immediately notify the other parties of the objection, request their comments on the objection within 15 days following receipt of Caltrans' notification, and proceed to consult with the objecting party for no more than 30 days to resolve the objection. Caltrans will honor the request of the other parties to participate in the consultation and will take any comments provided by those parties into account.
2. If the objection is resolved during the 30-day consultation period, Caltrans may proceed with the disputed action in accordance with the terms of such resolution.
3. If at the end of the 30 day consultation period, Caltrans determines that the objection cannot be resolved through such consultation, then Caltrans shall forward all documentation relevant to the objection to the ACHP, including Caltrans' proposed response to the objection, with the expectation that the ACHP will, within thirty (30) days after receipt of such documentation:
  - a. Advise Caltrans that the ACHP concurs in Caltrans' proposed response to the objection, whereupon Caltrans will respond to the objection accordingly. The objection shall thereby be resolved; or
  - b. Provide Caltrans with recommendations, which Caltrans will take into account in reaching a final decision regarding its response to the objection. The objection shall thereby be resolved; or
  - c. Notify Caltrans that the objection will be referred for comment pursuant to 36 CFR § 800.7(c), and proceed to refer the objection and comment. Caltrans shall take the resulting comments into account in accordance with 36 CFR § 800.7(c)(4) and Section 110(1) of the NHPA. The objection shall thereby be resolved.
4. Should the ACHP not exercise one of the above options within 30 days after receipt of all pertinent documentation, Caltrans may assume the ACHP's concurrence in its proposed response to the objection and proceed to implement that response. The objection shall thereby be resolved.
5. Caltrans shall take into account any of the ACHP's recommendations or comments provided in accordance with this stipulation with reference only to the subject of the objection. Caltrans' responsibility to carry out all other

actions under this MOA that are not the subject of the objection shall remain unchanged.

6. At any time during implementation of the measures stipulated in this MOA, should a member of the public raise an objection in writing pertaining to such implementation to any signatory party to this MOA, that signatory party shall immediately notify Caltrans. Caltrans shall immediately notify the other signatory parties in writing of the objection. Any signatory party may choose to comment in writing on the objection to Caltrans. Caltrans shall establish a reasonable time frame for this comment period. Caltrans shall consider the objection, and in reaching its decision, Caltrans will take all comments from the other signatory parties into account. Within 15 days following closure of the comment period, Caltrans will render a decision regarding the objection and respond to the objecting party. Caltrans will promptly notify the other signatory parties of its decision in writing, including a copy of the response to the objecting party. Caltrans' decision regarding resolution of the objection will be final. Following issuance of its final decision, Caltrans may authorize the action subject to dispute hereunder to proceed in accordance with the terms of that decision.
7. Caltrans shall provide all parties to this MOA, and the ACHP, if the ACHP has commented, and any parties that have objected pursuant to section D.6 of this stipulation, with a copy of its final written decision regarding any objection addressed pursuant to this stipulation.
8. Caltrans may authorize any action subject to objection under this stipulation to proceed after the objection has been resolved in accordance with the terms of this stipulation.

#### **E. Amendments**

Any signatory party to this MOA may propose that this MOA be amended, whereupon all signatory parties shall consult to consider such an amendment. The amendment will be effective on the date that a copy is signed by all of the original signatories. If the signatories cannot agree to appropriate terms to amend the MOA, any signatory may terminate the agreement in accordance with Stipulation III.F, below.

#### **F. Termination**

1. If this MOA is not amended as provided for in Stipulation III.E, or if either signatory proposes termination of this MOA for other reasons, the signatory party proposing termination shall, in writing, notify the other MOA parties, explain the reasons for proposing termination, and consult with the other parties for at least 30 days to seek alternatives to termination. Such

consultation shall not be required if Caltrans proposes termination because the Undertaking no longer meets the definition set forth in 36 CFR § 800.16(y).

2. Should such consultation result in an agreement on an alternative to termination, the signatory parties shall proceed in accordance with that agreement.
3. Should such consultation fail, the signatory party proposing termination may terminate this MOA by promptly notifying the other parties in writing. Termination hereunder shall render this MOA without further force or effect.
4. If this MOA is terminated hereunder, and if Caltrans determines that the Undertaking will nonetheless proceed, then Caltrans shall comply with the requirements of 36 CFR 800.3-800.6.

#### **G. Duration of MOA**

1. Unless terminated pursuant to section F. of this stipulation, or unless it is superseded by an amended MOA, this MOA will be in effect following execution by the signatory parties until Caltrans, in consultation with the other signatory parties, determines that all of its stipulations have been satisfactorily fulfilled.
2. The terms of this MOA shall be satisfactorily fulfilled within ten (10) years following the date of execution by the signatory parties. If Caltrans determines that this requirement cannot be met, the MOA parties will consult to reconsider its terms. Reconsideration may include continuation of the MOA as originally executed, amendment of the MOA or termination. In the event of termination, Caltrans will comply with section F.4 of this stipulation, if it determines that the Undertaking will proceed notwithstanding termination of this MOA.
3. If the Undertaking has not been implemented within ten (10) years following execution of this MOA, this MOA shall automatically terminate and have no further force or effect. In such event, Caltrans shall notify the other signatory parties in writing and, if it chooses to continue with the Undertaking, shall reinitiate review of the Undertaking in accordance with 36 CFR Part 800.

#### **H. Effective Date**

This MOA will take effect on the date that it is executed by Caltrans and the SHPO.

**EXECUTION** of this MOA by Caltrans and the SHPO, its filing with the ACHP in accordance with 36 CFR §800.6(b)(1)(iv), and subsequent implementation of its terms, shall evidence, pursuant to 36CFR§800.6(c), that Caltrans has afforded the ACHP an opportunity to comment on the Undertaking and its effects on historic properties, and that Caltrans has taken into account the effects of the Undertaking on historic properties.

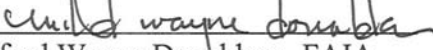
**SIGNATORY PARTIES**

**California Department of Transportation**

By:   
Jay Norvell, Chief  
Division of Environmental Analysis

Date: 5/6/10

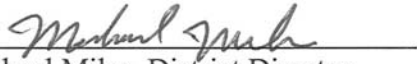
**California State Historic Preservation Officer**

By:   
Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer

Date: 10 MAY 2010

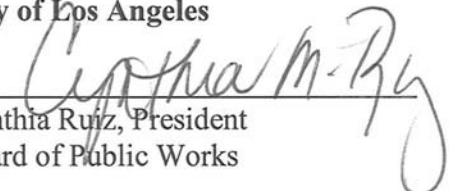
**CONCURRING PARTIES**

**California Department of Transportation**

By:   
Michael Miles, District Director  
District 7, Los Angeles

Date: 5/25/2010

**City of Los Angeles**

By:   
Cynthia Ruiz, President  
Board of Public Works

Date: 5/19/10

## **Attachment A: APE MAPPING**

The APE Map is being kept on file with the City of Los Angeles and Caltrans.